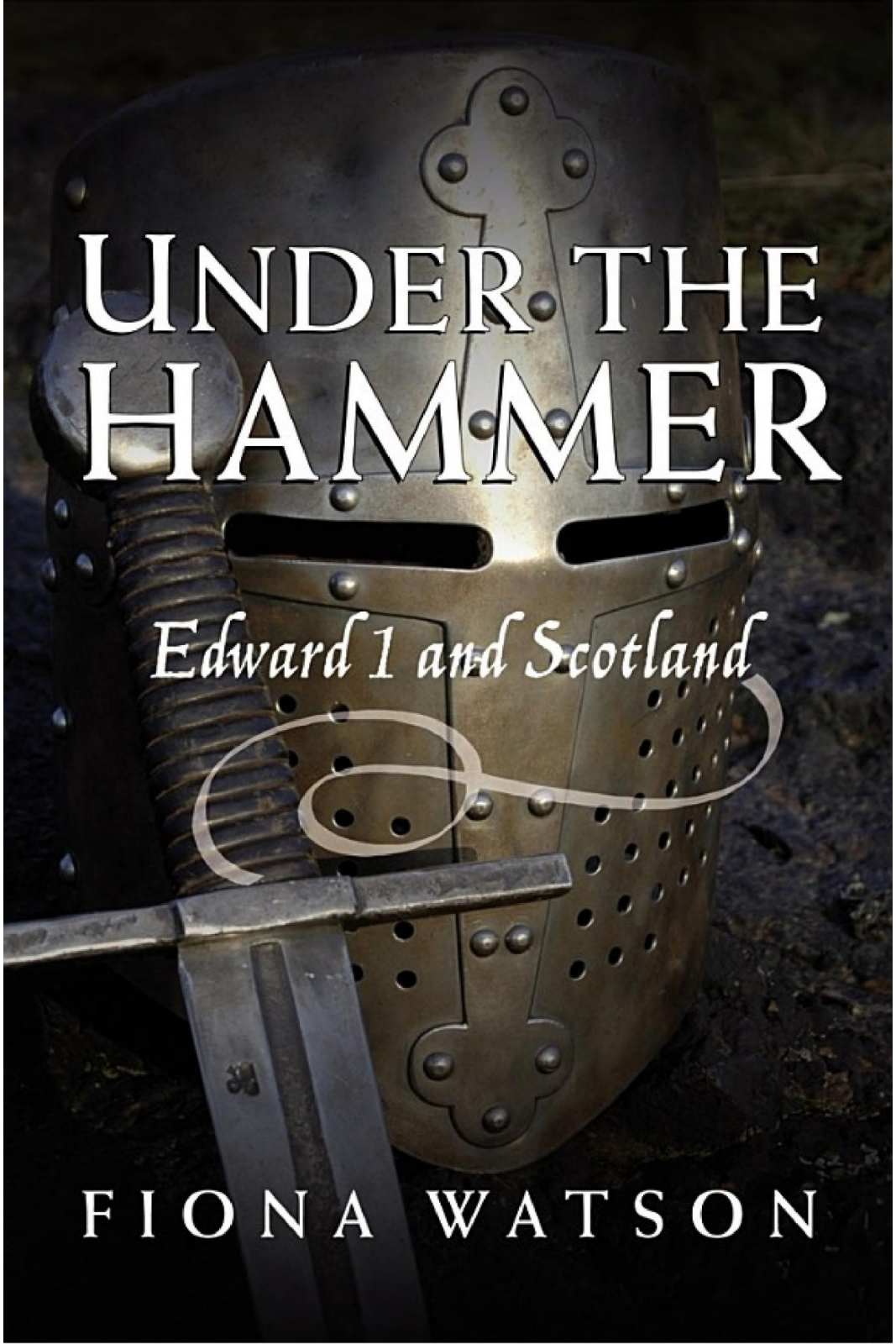
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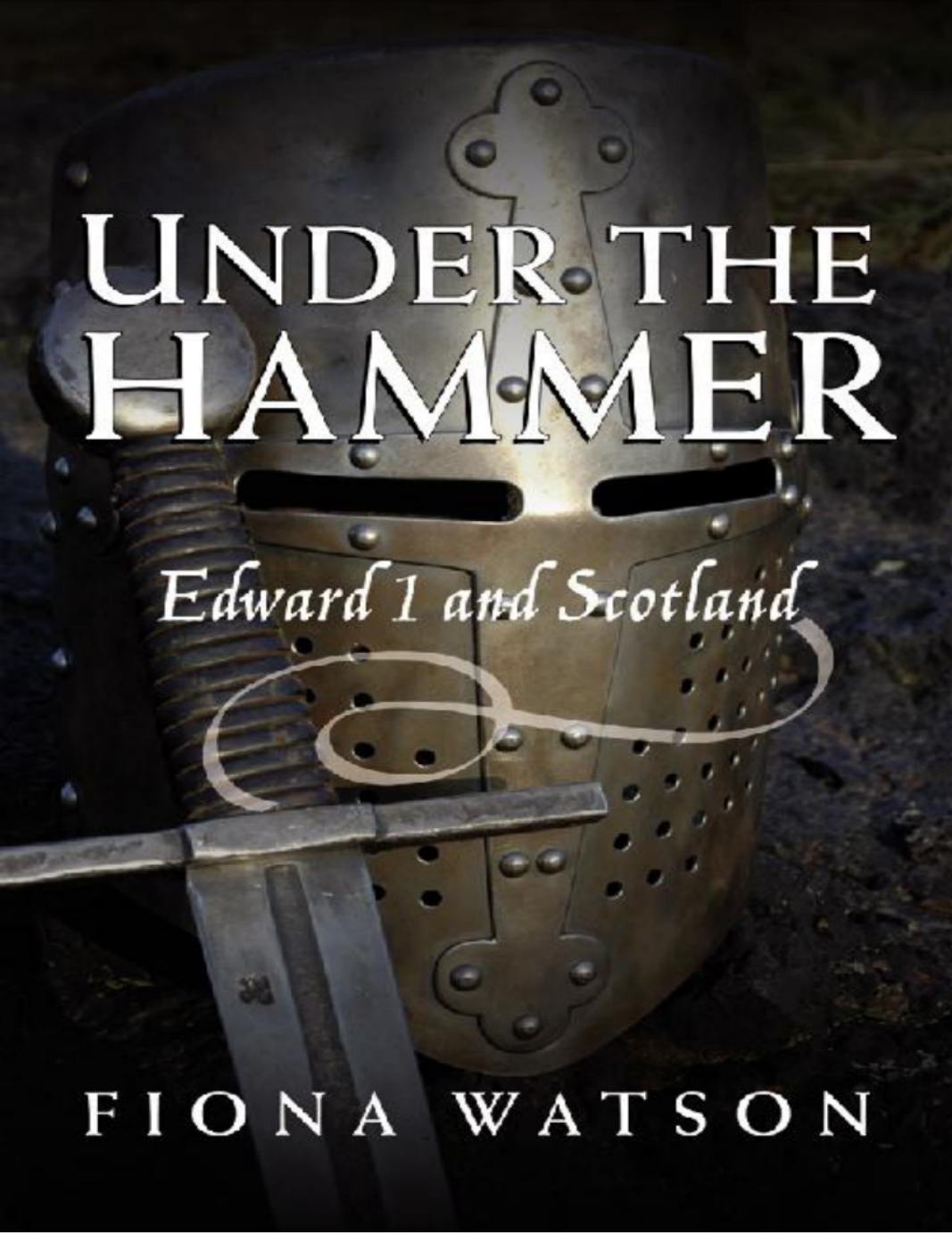
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UNDER THE HAMMER:

EDWARD I AND SCOTLAND, 1286–1306

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1286–1306

Fiona J. Watson

JOHN DONALD

This eBook edition published in 2013 by
Birlinn Limited
West Newington House
10 Newington Road
Edinburgh
EH9 1QS
www.birlinn.co.uk

First published in 1998 by Tuckwell Press
This edition published in 2008
by John Donald, an imprint of Birlinn Ltd

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ISBN: 978-1-904607-81-6
ebook ISBN: 978-1-907909-19-1

British Library Cataloguing-in-Publication Data
A catalogue record for this book is available from the British Library

To Mum and Dad
A small thank you for so very much

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ACKNOWLEDGEMENTS

UP until a few years ago it was presumed with dismay (in some quarters at least) that the great era of Scottish medieval history was passing, not least with the retirement form the Scottish history departments of Edinburgh and Glasgow of two of the subject's most influential proponents, Geoffrey Barrow and Archie Duncan respectively. Fortunately, such premonitions of imminent catastrophe were rather premature, with a number of new appointments in most Scottish universities and a healthy stream of publications attesting to the continuing vibrancy of Scottish medieval history.

I was incredibly fortunate to have been able to study for my Ph.D under Archie Duncan. His own iconoclastic approach to anything which lesser mortals might regard as cast in stone provided the ideal training for a young and far too biddable would-be historian. By treating my views with respect, but at the same time requiring always that such respect be earned through the use of firm evidence and a coherent argument, he essentially taught me to think. His great gift has been to inspire and I am profoundly grateful to him.

I was also fortunate to have been in the Scottish History department at Glasgow University in the early 1990s. Though some of us may have gone on to become veritable pillars of academic respectability, some of my fondest memories are of the years spent in passionate debate, hard drinking and playing very bad football with Ewen, JR, Ronnie and Mackie. I learned a lot about seventeenth, eighteenth, nineteenth and twentieth century Scottish history from them; who knows, maybe they even learned some medieval history from me. Fortunately for our health, those days are over, but our friendships are certainly not.

Those days in Glasgow were presided over by Allan Macinnes, not least because of his skills in tactical football. Though I was never a bona fide neo-brutalist, Allan's ability to keep me in gainful employment as a research assistant, as well as expanding my research horizons into landscape history, made the years of minimal career prospects both enjoyable and fruitful. I might have left academia long ago if it had not been for his loyalty and consider enduring jokes about medievalists and crystal balls a small price to pay for the privilege of having worked for him.

Despite the scarcity of jobs which might easily have created an environment of bitter competition, I have found my own generation of medieval historians to be most caring and supportive. My understanding of medieval history has been much improved by countless passionate discussions through the years – I look forward to many more to come if Dauvit Broun, Michael Brown, David Ditchburn, Theo van Heijnsbergen, Ally MacDonald, Richard Oram and Matthew Strickland can continue to stand the pace. I would also like to acknowledge the slightly more mature influence of Norman MacDougall, who taught me as an undergraduate at St. Andrews. His patience, good sense and canny intellect, combined with an unfailing enthusiasm for the later middle ages, has served as a quiet inspiration over the years. I am not sure what conclusion to draw from the fact that we are also Archie Duncan's first and last research students respectively.

The acquisition of a lecturing job a matter of months before my thirtieth birthday brought an end to a highly privileged, if rather insecure, life of research. There are considerable compensations. Most particularly, I have found that teaching the subject has brought me to see the woods, rather than the trees. I am therefore truly grateful to my students at Stirling University, who have rightly demanded brevity and clarity of me, and provided their own insights, during the past three years of 'Scotland in the Age of Wallace and Bruce'. For that reason alone, I sincerely hope that the symbiotic relationship between teaching and research is preserved in any future overhaul of higher education.

I would also like to thank the department of history at Stirling – they are truly the warmest and most supportive set of colleagues one could hope to work with. Most particularly, I owe a tremendous amount to George Peden, head of department in my first years at Stirling, who was not only responsible for the fact that medieval Scottish history is now taught at that university at all, but has also found the time (when, I do not know) to read various pieces of my work, including my thesis, and make most helpful and constructive comments upon it.

It would be most churlish not to acknowledge the part played in the creation of *Under the Hammer* by Ronnie Lee. Most obviously, I owe to him the title itself. However, I am also much the wiser for five years of non-stop historical debate, which was always hugely enjoyable and certainly eye-opening. I must thank him for his unfailing support of me as a historian during these years and for his incisive comments on a subject that is obviously of much less importance than Restoration politics.

There are a number of others who have been hugely influential on my own views on medieval history generally and this book in particular – Michael Prestwich, who has provided much of the example behind the approach to this period in history, Sandy Grant and Ted Cowan. I also owe a huge debt to John and Val Tuckwell, whose contribution to the dissemination of Scottish history has been quite extraordinary in these past few years – they have patiently,

firmly, but always with an infectious sense of fun, teased the manuscript out of me. Please forgive me if I have missed anyone out.

Then there are those who provided life outwith the Ph.D. and the book, most particularly Mark, Murray, Steve, Thomas, Heidi, Pam, Pauline, and the rest of Glasgow University Mountaineering Club, Deirdre, my flatmate, who has most certainly done her best to keep me sane in the last year and last, but by no means least, my two cats, Dibbet and Snake (don't ask) who have stuck with me throughout the last seven years. Finally, of course, this book is dedicated to my mum and dad – it has been a long time in coming, but I hope it might serve as a small token of my profound gratitude for thirty-three years of love and support.

ABBREVIATIONS

APS *Acts of the Parliaments of Scotland*, ed. T. Thomson and C. Innes (Edinburgh, 1814–75)

Barrow, *Bruce* G.W.S. Barrow, *Robert Bruce and the Community of the Realm of Scotland* (3rd edn, Edinburgh, 1992)

CCR *Calendar of Close Rolls*, ed. H.C. Maxwell-Lyte (London, 1906–8)

CDS *Calendar of Documents relating to Scotland*, ed. J. Bain *et al* (London, 1881–1986)

CPR *Calendar of Patent Rolls*, ed. H.C. Maxwell-Lyte (London, 1906–8)

EHR *English Historical Review*

Foedera *Foedera, Conventions, Litterae et Cuiuscunque Generis Acta publica*, ed. T. Rymer, Record Commission Edition (London, 1816–69)

Gough, *Scotland in 1298* H. Gough, *Scotland in 1298: Documents relating to the campaign of Edward the First in that year, and especially to the Battle of Falkirk*, ed. H. Gough (Paisley, 1888)

Guisborough *The Chronicle of Walter of Guisborough*, ed. H. Rothwell, Camden Society, 3rd Series, lxxxix (1957)

Blind Harry *[Blind Harry] The Wallace*, ed. M.P. McDiarmid (STS, 1968)

HMSO Her Majesty's Stationery Office

Itinerary *Itinerary of Edward I, Part ii: 1291–1307*, ed. E.W. Stafford, List and Index Society, vol. 132 (London, 1976)

Lanercost *Chronicon de Lanercost, 1201–1346*, ed. J. Stevenson (Maitland Club, 1839)

Langtoft *The Chronicle of Pierre de Langtoft*, ed. T. Wright (Rolls Series, 1866)

Liber Quotidianus *Liber Quotidianus Controtulatoris Garderobiae, 1299–1300*, ed. J. Topham *et al* (1787)

Melrose Liber *Liber Sancte Marie de Melros* (Bannatyne Club, 1837)

Memoranda de Parl. *Memoranda de Parliamento, 1305*, ed. F.W. Maitland (Rolls Series, 1893)

Palgrave, *Documents* F. Palgrave, *Documents and Records illustrating the History of Scotland*, ed. F. Palgrave (London, 1837)

Parl. Writs *Parliamentary Writs and Writs of Military Summons*, ed. F. Palgrave (Record Commission, 1827–33)

Prestwich, *Documents* *Documents illustrative of the Crisis of 1297–8 in England*, ed. M. Prestwich, Camden Society, 4th ser. (London, 1980)

PSAS *Proceedings of the Society of Antiquaries of Scotland* (1851–)
RCAHM Royal Commission on the Ancient and Historic Monuments
RCAHMS Royal Commission on the Ancient and Historic Monuments of Scotland
Rishanger *Willelmi Rishanger, Chronica et Annales*, ed. H.T. Riley (Rolls Series, 1865)
Rotuli Scotiæ *Rotuli Scotiæ in Turri Londinensi et in Domo Capitulari Westmonasteriensi Asservati*, ed. D. Macpherson and others (London, 1814)
RRS *Regesta Regum Scottorum*, ed. G.W.S. Barrow, vol. ii (Edinburgh, 1960)
RRS *Regesta Regum Scottorum*, ed. A.A.M. Duncan, vol. v (Edinburgh, 1988)
Scalacronica *The Scalacronica by Sir Thomas Grey of Heton, Knight*, ed. J. Stevenson (Maitland Club, 1836)
SHR *Scottish Historical Review*
SHS Scottish History Society
SP *The Scots' Peerage*, ed. Sir J. Balfour Paul (Edinburgh, 1904–14)
Stevenson, *Documents* *Documents Illustrative of the History of Scotland, 1286–1306*, ed. J. Stevenson (Edinburgh, 1870)
Stevenson, *Wallace* *Documents Illustrative of Sir William Wallace, His Life and Times*, ed. J. Stevenson (Maitland Club, 1841)
Stones, *Relations* *Anglo-Scottish Relations, 1174–1328: Some Selected Documents*, ed. E.L.G. Stones, 2nd edn. (Oxford, 1970)
STS Scottish Text Society
TDGAS Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society
Trivet, Annales *Annales Nicholai Triveti*, ed. T. Hog (London, 1845)
Wright, *Political Songs* *Political Poems and Songs relating to English History*, ed. T. Wright (London, 1839).
[Wyntoun] *The Orygynale Cronykil of Scotland*, ed. D. Laing (Edinburgh, 1872–9)

DRAMATIS PERSONAE

Abernethy, Sir Alexander Scottish knight; sheriff of Perth; commander of army to Grampians (1303–5)

Aldgate, Richard royal receiver of Cumberland (1297–1300); made baron of exchequer (1299)

Alwin, Sheriff of Sussex; captain of the Cinque Ports; admiral of English fleet (1300–1)

Alexander II king of Scots (1214–49)

Alexander III king of Scots (1249–86)

Baldock, Walter Edward I's chancellor of Scotland (1296–1304); also receiver of Northumberland; d. 1304

Balliol, Edward son of John Balliol & Dervorguilla; claimant to Scottish throne; lord of Galloway; d. 1364

Balliol, John lord of Barnard Castle, co. Durham, & Galloway; claimant to Scottish throne; king of Scots (1292–1296/1304); d. 1313

Bek, Anthony bishop of Durham (1283–1311)

Bek, Thomas Anthony Bek's brother; keeper of the wardrobe

Beverley, William royal officer; keeper of Edward's seal in Scotland (1296–7); chancellor of Scotland (1304–6)

Bisset, William of Lindisfarne, Berwickshire; sheriff of Clackmannan (1303–4) & Stirling (1304–5)

Bohun, Humphrey earl of Hereford; captured Arran (1298)

Boniface VIII pope; d. 1303

Bruce, Robert lord of Annandale; earl of Carrick; lord of Cleveland; lord of Writtle, Essex; lord of Middleham, Suffolk; given Dalswinton castle (1301); warden of western march (1302–4)

Burnell, Robert English royal adviser; involved in Great Cause; later chief justice of the

King's Bench

English, Stephen — constable of Bothwell (1298–1300/1)

Keeper of the Berwick store — keeper of the Berwick store (1299–c. 1303)

Edward, Joseph of — governor of Aquitaine (1298–1305); appointed lieutenant of Scotland (1305)

Claim to the Scottish throne — claimant to the Scottish throne; 5th lord of Annandale; d. 1295

Bruce, Robert, earl of Carrick — became earl through his wife, Marjorie; d. 1304 in England

Bruce, Robert, guardian — guardian of Scotland (1298–1300); king of Scots (1306–29)

Clerk of Dunkeld — clerk of Dunkeld

Nottingham, John — Derbyshire knight; sheriff of Berwick & keeper of castle (1298–c. 1303)

Segrave, Sir Walter — keeper of Castle & sheriff of Lanark (1301–3); justiciar of Galloway (1305)

Edward, John of — notary public; responsible for drawing up Great Roll (c. 1296)

Essex, Sir Robert — knight; keeper of Lochmaben and warden of Annandale (1298–9)

Gartly, bishop of — bishop of Aberdeen (1282–1328); brother of Sir Reginald

Chein, Sir Reginald — lord of Inverugie & Duffus; sheriff of Inverness (1296–7); justiciar beyond the mountains (1305); brother of Henry, bishop of Aberdeen

Clifford, Robert — lord of Appleby castle, Westmorland; given Caerlaverock castle; keeper of Carlisle castle (1297–9); warden of Galloway (1298–9); keeper of the bishopric of Durham (1300–6)

Comyn, Alexander — brother of the earl of Buchan but on English side

Comyn, Sir John — brother of Sir Alexander Comyn of Badenoch, senior

Comyn, Sir Edward — of Kilbride; head of third branch of Comyn family; member of Sir John Comyn of Badenoch, jr.'s council

Comyn, John — guardian (1286–92); brother-in-law of John Balliol; claimant to Scottish throne; d. ?1299

Comyn, Sir John, of Badenoch — son of Sir John Comyn of Badenoch; guardian (1298–1301; 1303); killed by Robert Bruce (1306)

Comyn, John, earl of Buchan — cousin of John Comyn of Badenoch; often leader of Scottish army (1296–1303)

Corbet, Alexander — royal clerk responsible for provisioning English garrisons in south-east Scotland (1298–c.1303)

Dalderby, Master John — canon of Lincoln; bishop of Dunkeld (1288–1309)

Fenwick, Sir Hugh — treasurer of Scotland (1296–7); killed at battle of Stirling Bridge, 1297

Fitzwarin, Fulk — nephew of James the Steward; Scottish constable of Caerlaverock (?1297–99)

Fraser, Simon — keeper of Carlisle store (1299–1303); escheator south of Forth (1303–5)

Grey, Sir John — keeper of Dumfries castle (1300)

Hailes, Sir William — father of Sir James Douglas 'the Good'; d.c. 1299

Hereford, Walter — keeper of the wardrobe

Hilton, Thomas — claimant to Annandale; consistent English supporter; keeper of Berwick town

(1298); warden of eastern march (1298–9); keeper of Ayr (c. 1301)

Dunkeld, bishop of
Dunkeld, bishop of
royal official, escheator south of Forth & keeper of Yester castle (1296–7)

Durham, bishop of
Durham, bishop of
English prelate; chancellor of England (1272–1307)

Edward II, king of England
Edward II, king of England
prince of Wales, future Edward II; d. 1327

Fenwick, Sir John
Fenwick, Sir John
knight; keeper of Jedburgh castle & warden of Selkirk Forest (1296–7)

Gloucester, Ralph de
Gloucester, Ralph de
knight; constable of Lochmaben (1299–c.1300)

Heron, Sir William
Heron, Sir William
Northumbrian knight with Northumbrian connections; keeper of Linlithgow castle (1301–?)

Ireland, Sir Brian
Ireland, Sir Brian
Yorkshire

Lincoln, earl of
Lincoln, earl of
custodian of the earl of Lincoln's lands of Strathgryfe, forfeited from James the Steward

Mar, Sir Richard
Mar, Sir Richard
Essex; keeper of eastern Scottish march (1299–1300)

Mowbray, Sir Philip
Mowbray, Sir Philip
Yorkshire; keeper of Urquhart castle; husband of Mary, countess of Strathearn and queen of Man; d. 1317

Northumberland, earl of
Northumberland, earl of
knight; captain of Newcastle garrison (1297–9); captain of Yorkshire garrisons (1298); warden of Galloway (1299)

Orreby, Sir Simon
Orreby, Sir Simon
castle; captured at Dunbar; made Edward's warden of Selkirk Forest (1297–c.1301); defected to Scots in 1301; d. 1306

Prior, William
Prior, William
bishop of St Andrews (1279–97); guardian of Scotland (1286–92); great-uncle of Sir Simon Fraser

Constables of Kirkintilloch
Constables of Kirkintilloch
castle (c. 1301)

Knight of Nottingham
Knight of Nottingham
Derby & Yorkshire; captain of Nottingham and Derbyshire garrisons (1298)

Galloway, Thomas of
Galloway, Thomas of
illegitimate son of Alan, lord of Galloway; prevented from succeeding his father by Alexander III

Gaveston, Piers
Gaveston, Piers
'close friend' of Edward II

Glasgow, bishop of
Glasgow, bishop of

Gloucester, Gilbert de, earl of
Gloucester, Gilbert de, earl of
his great-grandson, Gilbert de Clare, earl of Gloucester & Hertford; d. 1295

Graham, Sir Patrick
Graham, Sir Patrick
Scottish knight; warden of western march (c. 1300); justiciar of Lothian (1305)

Graham of Airth
Graham of Airth
son of Sir Patrick Graham of Airth

Halton, Adam de
Halton, Adam de
bishop of Carlisle (1292–1324)

Hastings, Sir Richard
Hastings, Sir Richard
Staffordshire knight; keeper of Jedburgh castle (1298–?1305); brother of Sir Robert

Hastings, Sir Robert
Hastings, Sir Robert
sheriff of Roxburgh & keeper of castle (1296–c.1305); brother of Sir Richard

Heriot, Sir Edmund
Heriot, Sir Edmund
warden of Berwick town (1302)

Hastings, John, claimant to Scottish throne
Hastings, John, claimant to Scottish throne

Henry I, king of England
Henry I, king of England
(1100–35)

Henry II, king of England
Henry II, king of England
(1154–89)

Henry III, king of England
Henry III, king of England
(1216–72)

Hereford, Humphrey de Bohun, earl of (d. 1322)

Hereford, Humphrey de Bohun, earl of (d. 1361)

Hunsdon, Sir John Keeper of the customs at Berwick (1296–c.1304); keeper of counter-roll (1297–?1304); comptroller of chamberlain of Scotland (1305–6)

Huntingdon, David, earl of Northumberland, Sir William Knight; sheriff of Lanark killed by William Wallace in 1297

Huntingdon, David, earl of Knight of Cumberland, Yorkshire & Lancashire; temporary warden of Galloway (1297); captain of Cumberland and Westmorland (1303); d. 1316

Hutton, Sir John Scottish chronicler

Kingston, Thomas King John's Marcel

Lanercost, Chronicle of Oxfordshire knight, Sir Walter

Lauder, Sir Robert Knight; sheriff of Edinburgh (1296–7); keeper of Berwick town (1298); captain of Northumberland garrisons (1298–?1303); d. 1313

Lennox, Earl of Grandson of David, younger son of Henry, earl of Northumberland; brother of Malcolm IV and William I; progenitor of Bruce, Balliol and Hastings; d. 1219

Leyburn, John keeper of Ayr store (1301)

Lindsay, Sir Alexander Knight; sheriff of Dumfries (1296–7)

Linlithgow, Sir Robert Scottish knight; claimed to be hereditary sheriff of Selkirk through his wife

Lisle, Sir Robert Knight of Selkirk Forest (1299–1300); justiciar north of the Forth (1306); brother of Edward

Litlington, Sir Edward Knight of Berkshire and Wiltshire; sheriff of Edinburgh (1298–1303)

Lochore, William Archdeacon of Glasgow; bishop of St. Andrews (1297–1328)

London, John Bishop of Chichester; chancellor of England

Longespee, Walter Bishop of Coventry and Lichfield (also known as Chester); treasurer of England

Lundin, Sir Alexander Knight of Lanarkshire; sheriff of Aberdeen (1296–c.1297)

Lyle, Sir William Yorkshire knight, captain of eastern Scottish garrisons (1299) keeper of Berwick town & warden of eastern march (1300–1); in charge of chevauchées from Roxburgh (1302–3); d. 1304

Macarthur, Sir Alexander Lancashire knight, sheriff of Dumbarton (1296–7)

Malcolm, earl of Lennox, Duncan 1290×1332

Malcolm, earl of Lennox, James Stewart, earl of d. 1311

Malcolm, Sir Alexander Lord of Arnisdale

Malherbe, Sir Hugh Captain in Esk Valley for Edward I (1298); keeper of Liddel and Hermitage castles

Mar, earl of, Donald 1301–4?); sheriff of Stirling (before 1304)

Mar, Sir Walter Scottish sheriff of Lanark

MacDonald, Alasdair Junior line of descent from Somerled, king of Argyll; rival for power in north-west with the MacDougalls; d. ?1298

MacDonald, Alasdair Senior line of descent from Somerled, king of Argyll; rival for power in the north-west with the MacDonalds; d. 1310

MacDougall, John Son and heir of Alastair MacDougall

MacDougall, John Son of Alastair MacDougall

MacDuald, Malcolm Lord in western Isles

MacRuarie, Lachlan line of descent from Somerled, king of Argyll; brother of Ruarie & Christina, wife of Gartnait of Mar; married to daughter of Alastair of Argyll

Mother of Lachlan & Christina

King of Scots (1058–93)

Lord of Skelmorlie and Livilands; Scottish sheriff of Stirling, c. 1299

King's comptor, unofficial paymaster in Scotland

Father of Robert Bruce, earl of Carrick (future king); ?d. 1298

Eldest son and heir of Donald, earl of Mar; husband of Christina MacRuarie

Maid Dunbar

Daughter of King Eric of Norway and Margaret, daughter of Alexander III; died 1290

Marshall, John baillie in barony of Renfrew forfeited from James the Steward

Markham, Sir Robert English owner of Dirleton castle

Scottish Constable of Brechin castle (1303)

Captured at Dunbar; released 1297; d. 1306

Mother of Sir Alexander; sheriff of Dumbarton & keeper of castle (1303–?9); d.c.1323

Keeper of Galloway and Nithsdale (1303)

Murdac, Sir Thomas leader of Scottish army besieging Stirling castle in 1299; captured & escaped; recaptured before 1304; d. 1306

Father of Sir Herbert served Edward

Royal official, Wigtown justiciar of Scotia (1296–7)

Murray, Sir John member of Sir John Comyn of Badenoch junior's council

Sheriff & Constable of Edinburgh castle (1303–5)

Murray, Sir Thomas Cumberland; captain of Cumberland and Westmorland (1303); d. 1314

Son of Sir Andrew Murray of Petty; d. 1297

Murray, Sir William earldom of Strathearn

Marshall, Roger, d. 1306 of Gaveldunk, knight, constable of Ayr castle (c. 1301)

Royal official, Lothian justiciar of Lothian (1296–7)

Keeper of Edinburgh castle for Scots (1297–8)

Percy, Sir Henry knight; warden of Galloway & Ayrshire (1296–7); 1273–1314

King of France (1268–1314)

Leader of burgesses of Inverness

Knight of Northumberland & Cumberland; sheriff of Dumfries (1304)

Ros, Sir Robert struck first blow of the war for the Scots, supposedly because of his love for a Scottish lady

Claimant through illegitimate descent; brother of Robert de Ros, but on English side

Remained in prison after Dunbar till 1303; lieutenant beyond the Spey (1303–5); d. 1323

Royal, William
Royal official; responsible for supplying Edinburgh, Dirleton & Stirling castles (1296–7)

Royal, William
Royal official; receiver north of the Forth & keeper of Elgin & Forres castles (1296–7)

St Andrews, Bishop of
See Fraser, William, bishop of St Andrews

Sandale, Master John de
Carpenter from Savoy; worked on Linlithgow

Segrave, Sir John
Lord; Sir John Segrave; warden of Galloway (1300–1302); effectively lieutenant of Scotland; d. 1302

Seton, Christopher
English constable of Stirling castle (1298–1300)

Shandelan
Chamberlain of Scotland (1305)

Sinclair, Sir John
Scottish knight; in charge of chevauchées from Berwick (1302–3); keeper of Berwick castle (1302–3); lieutenant in eastern Scotland (1303–4); lieutenant south of Forth & justiciar of Lothian (1304–5); d. 1325

Soules, Sir John
Lord; Sir John Soules; captured at Dunbar; warden of Nithsdale (1299–); sheriff of Fife (1304)

Soyter, Roger
Scottish; justiciar of Galloway (1296–7)

Spaldington, Knight
Lincolnshire knight; sheriff of Berwick (?1296–8)

Stewart, Sir John
Guardian of Scotland (1301–3); died in exile in France, 1318

Stewart, Sir John
younger son of Sir John and Sir William

Stewart, Sir William
Lord of Bonkyll; butler of Scotland; elder brother of Sir John; d. 1293; succeeded by his brother, Nicholas

Stewart, William
Lord of Bonkyll and Wedale; butler of Scotland; son of Nicholas; nephew of Sir John & Sir William

Stewart, James
Steward of Scotland (1286–92); close associate of Bruces; feudal superior of Wallace; grandfather of future king, Robert II; d. 1309

Stirling, Sir John
of Jedburgh; brother of James; leader of the archers of Selkirk Forest; d. 1298

Strathearn, Master Malcolm, earl of
probably a son of the earl of Strathearn; archdeacon of St. Andrews; King John Balliol's treasurer; ?bishop of Dunblane in 1296

Strathbogie, John de, earl of Atholl
captured at Dunbar; subsequently sided with Edward I; deputy of earl of Atholl as lieutenant north of the Forth (1305)

Surrey, John de Warenne, earl of
lost possessions in Scotland (1296–8); d. 1304

Sutherland, William, earl of
d. 1307

Swinton, Sir Robert
Knight of Yorkshire and Bedfordshire; officer in Esk valley (1298–?); captain of Berwick town garrison (1300–1); d. 1324

Tilliol, Sir Richard
Cumbrian knight; constable of Lochmaben (1301); d. 1321

Tweng, Sir Marmaduke
Yorkshire knight; d. 1323

Umfraville, Robert, earl of Angus
father-in-law of Robert Bruce, earl of Carrick, the future king

Vaux, Sir Roger de
Scottish knight of Roxburgh (1299–); guardian of Scotland (1300–1)

Umfraville, Thomas de
younger son of Gilbert of Angus; constable of Dundee, traditionally controlled by his family (1303–4)

Valence, Aymer de
Lord; Sir Aymer de Valence, earl of Pembroke; given Murray castle of Bothwell; lieutenant in southern Scotland (1303)

Verdun, Sir Bartholomew
keeper of Berwick town (1298–9)

Northampton, Sir Richard
Knight; sheriff of Stirling (1296–7)

Wallace, William Sir Malcolm Wallace of Elderslie; d. 1305

Warwick, Guy Beauchamp, earl of d. 1315

Warwick, William, earl of d. 1298

Weston, John paymaster in south-east Scotland (1299–c. 1302)

William I 'the Conqueror' duke of Normandy and king of England (1066–87)

William I 'the Lion' king of Scots (1165–1214); captured and forced to concede Treaty of Falaise (1174)

Wishart, Robert bishop of Glasgow (1271–1316); staunch defender of Scotland's independence

Wodehouse, Philip wardrobe; English treasurer's lieutenant

Wogan, John justiciar

Unless otherwise stated, all military/administrative offices were held by the above as part of Edward's government of Scotland.

I venture to say no war can be long carried on against the will of the people
Edmund Burke

INTRODUCTION

IN PRAISE OF FACT AND FICTION

THE death of rulers is traditionally accompanied by much weeping and wailing and gnashing of teeth. Cynics might say that in many – most – cases, this should be interpreted as a display of political acumen in the face of changing political circumstances, or a rededication of adherence to the regime, rather than genuine emotion. The tears shed at the funeral of Alexander III would no doubt have been similarly expedient had it not been for the dreadful shock of his untimely death and the knowledge that there was no male heir to succeed him. As time passed, and it became clear that 19 March 1286 had ushered in a period of great misfortune in Scotland's history, there can be no doubt about the depth of feeling which the last of the 'Celtic' kings of Scots inspired in succeeding generations. The traumas of the wars with England bit deep into the national psyche, as illustrated by the following lines written over a century later:

When Alexander our king was dead
That Scotland led in love and security
Departed was abundance of ale and bread
Of wine and wax, of games and glee.[1]

Indeed, succeeding events have provided history not only with a supposed thirteenth-century Scottish Golden Age, but also the justification for the anti-English feeling which so often characterises public expressions of modern Scottish nationalism.[2] The wars also ultimately advanced the cause of the later medieval Scottish kings – at least in their own propaganda – by rendering them essential to the survival of the nation itself; ironically, Whigs later turned to the same period for evidence of a popular sovereignty restraining the monarchy.[3]

War is the natural environment of propaganda, whether to confound the enemy or to bolster morale. Periods of conflict between nations provide particularly fertile ground for polarised, black-and-white versions of events as governments seek to justify opposing military positions. As time passes, and

such conflicts enter both history and folklore (and there is a very fine line between the two), new political agendas are given a wider context and legitimacy by harking back to an already simplified past. This is as true for the twentieth century as it is for the middle ages. In this way the past, or at least the currently acceptable version of it, is transformed to meet the needs of the moment, and crystallises to become a cast-iron truth. However, the results often have little to do with the beliefs and aspirations of the protagonists in the original conflict.

Having said that, there is no need to deny the importance of the late thirteenth and fourteenth centuries to the development of a Scottish national consciousness; nor does an acknowledgement of the role of propaganda and mythology in the creation of versions of the past undermine any general discussion of the prosecution of, or resistance to, a war of conquest. The history of the struggle between Edward I and the Scots is comparatively well-known at both an academic and a popular level. After all, the period produced two of Scotland's greatest heroes – William Wallace and Robert Bruce – and also earned King Edward the soubriquet of 'Hammer of the Scots'.[4]

However, the history of the middle ages, and of medieval Scotland in particular, still remains stubbornly imprisoned in the popular mind as dark, dreary and violent, and, more importantly, as comparatively undocumented and therefore unknowable. This presumed lack of information has indeed been the justification for the free-for-all with Scottish history in both film-making and literature in recent years. There is a curious irony in historical figures about whom it is generally believed that we can know very little (and in Wallace's case, this is certainly true) creating a whole industry to satiate the public's desire to know them better. Of course, the less information there is about prominent figures, the easier it is to fit them into an idealised mould, to make men (and women) for all seasons.

Certainly, the fact that the history of this struggle must be constructed largely from English sources – primarily official government records and contemporary English chroniclers – has, understandably, given undue emphasis to Edward's government of Scotland. This is all the more unfortunate given that most of Scotland was not, for most of the period between 1297 and 1303, in any sense under English control. Nevertheless, historians have already done much to illuminate this first phase of the Anglo-Scottish wars. Such studies fall into two main categories: to shed as much light as possible on the activities of the Scots, or to analyse the English war machine, but particularly the army, as part of studies of English government and military activity generally.[5] In both cases, the milestones on the way have tended to be the military 'highlights' – battles and sieges. This is natural; after all, there were campaigns every year during the period from 1296 to 1304, with the exceptions of 1299 and 1302, and battles will probably always fire the imagination to greater effect than descriptions of administration.

However, these explosions of military activity form, at best, only half the

story. Since the success of any conquest does not rely ultimately on victory in battle, but on the ability of the occupying regime to transform such victories into an effective and accepted administrative system, it is of paramount importance that Edward's government of Scotland should be returned to centre stage. By shifting our attention on to the day-to-day activities of Edwardian officials, the process of conquest and attempted colonisation of one medieval kingdom by another can be brought more firmly into focus; correspondingly – though still frustratingly inadequately – the means whereby the kingdom of Scotland was able to marshal its resources and create a coherent and cohesive national movement to deal with an enemy much more powerful than itself also become clearer.

Of course, attempts to tell 'the whole story' never actually succeed: even the comparative full English sources provide only a very narrow focus. We are thus very well informed about the response of Edward's government and its various departments to the war, both at home and abroad; we also have the reactions of various monastic commentators to such activities at varying distances from them. However, we have few direct reactions from the English nation at large to the Scottish war, although we know that its cost was disliked.

One of the most frustrating aspects of the study of this period of Anglo-Scottish warfare is the lack of surviving evidence from Scotland itself. This is particularly irritating when it comes to assessing the extent and effectiveness of the Scottish administration set up by Wallace, and continued by a series of guardians after the latter's fall from power. It is thus not really possible to gauge exactly what the English administration in Scotland was up against in terms, particularly, of the military and fiscal organisation of the enemy. Equally, we have no way of knowing what overall policies and specific military stratagems the various Scottish leaders attempted to implement over these years. Actions and results will thus largely have to speak for themselves.

But the problems posed by questions of evidence should not prevent an attempt at understanding what was happening by the criteria which contemporaries would themselves have applied both to their own actions and those of their political leaders. The kingdom of Scotland was certainly not isolated from the wider medieval world; indeed, the extent of its involvement – trade and diplomacy are only the most obvious elements – is one of the more striking features of this period. This was a complex society, which was neither monolithic at any one time, nor static.

The historian's job is to understand how versions of the past have come about in order to separate fact from fiction, while acknowledging the role of both. Fact is, of course, multi-faceted – there is no one version of events even as they are occurring. Fiction, ironically, has a closer relationship to 'truth' than history ever can: its creators do not have to cover all the options or point out the difficulties with the sources as the historian does.

Then there is the twilight zone between fact and fiction, particularly works

such as Barbour's *Bruce* and Blind Harry's *Wallace*, and even *Braveheart*, which, while based on a modicum of fact, are primarily a reflection of the events and agendas of their own times. It is only recently, indeed, that historians have realised the extent to which our understanding of the Anglo-Scottish wars is a product of the comprehensive propaganda campaign conducted by King Robert Bruce against not only his predecessor, John Balliol, but also his arch-enemies, the Comyns, leaders of the Scottish political community before 1306. Analysis of the war has also been coloured by the commonly-held and disparaging view of Scotland's medieval political system (still believed by many Scots), in contrast to that of England particularly. This has obscured the fact that that system was both sophisticated and appropriate to a kingdom that was not England; it has also made it more difficult to understand how resistance to Edward could be so successful.

This whole spectrum of fact and fiction informs each generation's perceptions of the past and each of us must choose what makes most sense. We cannot alter what actually happened, nor know 'the truth' of it, but we can certainly be aware of what has brought us to our particular understanding. This book is one individual's interpretation of the available evidence, though its contents should stand up to the standards of proof demanded by the historical profession and will be judged accordingly. It is undoubtedly coloured by the author's own views about the role of centralisation versus decentralisation, particularly within the Scottish context, and probably also by late twentieth century suspicions of government.

But then again, if we did not believe that events of even seven hundred years ago had some resonance for our own times, we would surely not take an interest in the past. While the inhabitants of the middle ages certainly did things differently, we can still identify with the basic human motivations common to all eras – the desire to protect one's family, to live as normal a life as possible and, if we are honest, to strut on a wider stage than that allotted to us from time to time. It is also apparently human nature to subsequently portray decisions taken in accordance with these basic desires as noble and glorious, when they are more often 'merely' mundane. That is perhaps the basic, symbiotic relationship between fact and fiction and, as Napoleon Bonaparte reputedly remarked: 'What is history but a fable agreed upon?'.

NOTES

1 *Wyntoun*, ii, p. 279.

2 There is surely no need to look any further than the adoption of 'Flower of Scotland' as the unofficial Scottish national anthem in recent times.

3 See F. Watson, 'The Enigmatic Lion: Scotland, kingship and national identity', in D. Broun, R. J. Finlay &M. Lynch (eds.), *Image and Identity: The Making and Remaking of Scotland* (Edinburgh, 1988), pp. 20, 32; C. Kidd, *Subverting Scotland's Past* (Cambridge, 1993), pp. 16–7.

4 From the sixteenth century painted inscription on Edward's tomb in

Westminster Abbey: RCAHM, London, I, *Westminster Abbey*, p. 29.

5 The best examples in each category are Barrow's *Robert Bruce and the Community of the Realm of Scotland*, and the most recent biography of Edward I by Prestwich.

CHAPTER ONE

THE LION AND THE LEOPARD

THE history of Anglo-Scottish relations seems always to have been characterised by the fierce animosity which was given substance by the outbreak of war in 1296. It is thus hard to envisage a time when bitter enmity was not the norm. However, and despite the familiarity of this well-worn xenophobia, the period leading up to the death of Alexander III witnessed the relationship between the two kingdoms moving in the quite opposite direction; as late as 1280 war was probably one of the least likely scenarios that political pundits might have predicted.

This is not meant to imply that there were no previous points of conflict, up to and including the intermittent outbreak of overt hostilities; nor that racial taunting of the type well-known in modern sporting arenas was alien to thirteenth-century Scots and English.[1] Abuse and suspicion certainly existed, although it is likely that such sentiments were most prominent among those whose fear of the unknown was directly related to their experience of strangers. Among those whose responsibility it was to shape and steer the destinies of each kingdom – the lay and ecclesiastical élites – there was a deep-seated and fairly comfortable relationship based on shared kin, language, and values.

Indeed, as has already been pointed out by Robin Frame, a constant fixation on borders and distinct kingdoms 'can obscure as much as it illuminates. This was an age when local and trans-national political associations were often paramount, the national hesitant and fragile'.[2] Both in peace and in war, the interests of the thirteenth-century Scottish and English monarchies, together with the landholding class immediately beneath, flowed across and diluted the effects of the border; indeed, there were other, far more significant, dividing factors both between and within each kingdom. According to Frame again: 'It has been calculated that, at some stage during the thirteenth century, nine out of thirteen Scottish earldoms had English property, while seven out of twenty-two English earldoms had Scottish interests'.[3] Equally importantly, intermarriage meant, for example, that Edward I was brother-in-law to

Alexander III, and therefore great-uncle to the young Margaret of Norway, heir presumptive to the Scottish throne from 1284; King John Balliol, rather more unfortunately, was brother-in-law to John de Warenne, earl of Surrey, who defeated the Scots at Dunbar in 1296 and then became Edward's lieutenant in Scotland.

The full extent and effects of the interrelationships among the élites throughout the British Isles are still imperfectly understood, although, as Frame's book illustrates, much important work is now being done in this area. However, once the main bone of contention – the Scottish claim to the northern counties of England – had been resolved, there was little to hinder a very close relationship indeed.

The Scottish kings had long viewed Northumbria and Cumbria – parts of the defunct kingdoms of Northumbria and Strathclyde which had also included Scotland south of the Forth/Clyde line – as rightfully theirs. They were thus often to be found south of the Solway or Tweed pursuing these claims as belligerently as possible, particularly in times of English weakness, such as the civil war following Henry I's death in 1135.

The English claim to overlordship was even more long-standing, becoming a consistent expression of the superiority of the West Saxon kings over all other rulers in the British Isles in the tenth century. With the Norman conquest, the concept of an overarching British kingship vested in the kings of England was readily inherited. In 1072 Malcolm III Canmore became King William's man – the formal feudal method of accepting another's lordship – after the latter led an army deep into Scotland; this had only become necessary, however, because Malcolm had wrongly presumed that William's difficulties in the north of England in the aftermath of the conquest provided an ideal opportunity for promoting his own ambitions in the area.

This encapsulates the basic relationship between the two crowns: the English kings remained uninterested in Scotland so long as the border remained where it was and peaceful; the Scottish kings continued to exploit potential English weaknesses but were usually brought round to an understanding, and acknowledgement, of the military superiority of the English crown. A resolution of the problem was not forthcoming until 1237, when the Treaty of York saw the king of Scots finally abandon his claims to Northumberland in return for other English lands.

Whatever the legal arguments, English claims to superiority were really a practical expression of the imbalance of power vested in the two crowns, given the resources available to each. Such an imbalance did not challenge the effective sovereignty of the northern kingdom so long as the English kings continued to focus much of their attention on the continent. Even the Treaty of Falaise (1174), which permitted Henry II to garrison three Scottish border castles, was not an attempt to interfere with Scottish government, but an extension of the usual methods to guarantee good Scottish behaviour.

But times did change and centuries of innocuous acceptance of this big

king/little king relationship began to become problematic. In the first instance, the loss of Normandy and Anjou loosened the English crown's connections with the continent, prompting an increased interest in British affairs, particularly after 1259 when these losses were formally recognised. Secondly, developments in legal definitions of rights and jurisdictions were beginning to make it more difficult to maintain conflicting positions within the hierarchical structure of western European society.

By the mid-thirteenth century the kings of Scots had no problem with paying homage and fealty to the English king for their English lands. However, they would no longer tolerate the idea that their kingship might be dependent in any sense on a greater *earthly* authority: kings were kings and sovereignty was not relative. The kings of England, of course, maintained the opposite view. Vis-à-vis Scotland the admissions of superiority which had accrued over the years could not be undone and were even being given greater definition as legal rights became more refined. Technically speaking, the issue of holding land of another king and the implications for sovereignty were quite separate, but the two were often interrelated. The issue of the status of the kingdom of Scotland, for example, tended to be brought up when the king of Scots went to pay homage and fealty for his English lands. Both Alexander II and Alexander III categorically refused to accept that this included the kingdom of Scotland; equally, Henry III and Edward I, while not pressing the point, reserved their own rights for the future.

The clash of these conflicting interpretations of rights was not restricted to Scotland and England; indeed, the king of France, Philip IV (who came from a line of kings who pointedly 'upheld the doctrine that they themselves did homage to no man'[4]) energetically challenged Edward I's understanding of his own sovereignty by interfering in the latter's dukedom of Gascony. However, in the case of Scotland and England, there should be no presumption that these technical difficulties would inevitably lead to war. There was far too much of benefit generally in the current close relationship between the two countries to warrant its deliberate sabotaging. Nevertheless, circumstances have a habit of altering to give one point of view a practical advantage over another.[5]

And indeed the unthinkable did happen, proving that the fortunes of nations really can rest on the actions of individuals. In one of history's little ironies, Alexander III, aged only forty-four, brought the dynasty to an end by making a fatally romantic dash to attempt to perpetuate it with his new young second wife. All the children of his first marriage had already predeceased him, leaving as heir presumptive a young Norwegian princess, Alexander's granddaughter. The Scottish élites had only reluctantly accepted Margaret as the potential ruler of Scotland in 1284, acquiescing primarily perhaps because choosing a male heir from the fringes of the dynasty was far too daunting a task; it was more comfortable to presume that Alexander still had plenty of time to produce another son. However, the Scottish political community's

reaction to the latter's untimely death and the eventual arrangements made for the Maid and her future as queen of Scots (she was not formally accepted as heir till October, when the queen was shown not to be pregnant) reflected both the maturity of the Scottish political system, and the close familial relationship between England and Scotland.[6]

Margaret of Norway's great-uncle, Edward I of England, was in the prime of his life, and his reign, at his brother-in-law's death. In his late forties, he had ruled the southern kingdom for nearly fifteen years and had already laid down the foundations of the conquest of Wales and the reformation of English finance, administration and law.[7] Ahead of him was still the final subjugation of Wales, the outbreak of a very serious quarrel with Philip of France, and the difficult years of domestic political wrangling which was both characteristic of English crown-magnate relations of the thirteenth century and a product of the dynamic and intensive style of government presided over by Edward himself. Despite the historical revisionism popular in our own time, he is still regarded as a great king. Though it is no longer fashionable to define a monarch's success by his contributions to expansionism and centralisation *per se*, it is still difficult not to be impressed; Edward's energy, his fierce intelligence, and even his ruthlessness did indeed provide him with remarkable success in these two areas. Scotland's bad luck lay not only in the failure of the dynastic line, but in having such a king as neighbour.

However, we must not get carried away by hindsight. In the immediate aftermath of Alexander's death, during the hiatus of Queen Yolande's alleged pregnancy, Edward showed remarkably little interest in the northern kingdom, other than making conventional expressions of sympathy, until the Scottish guardians themselves approached him in late spring 1286. That they should do so was also entirely conventional, given that the Scottish royal family was so closely related to Edward, that the Scots were quite accustomed to leaning on England's broad shoulders in times of difficulty (such as Alexander III's own minority),[8] and that Edward was regarded as one of western Europe's foremost statesmen. Indeed, it was mere courtesy to inform Britain's most dominant player of events which could have a potential impact on his kingdom, not least because Scotland's leaders already required to take precautions against the nightmare of a civil war promoted by Robert Bruce of Annandale, a male alternative for the throne.

However, once the approach for advice had been made by the Scottish guardians in the first half of 1286, any search for an understanding of Edward's intentions immediately becomes shrouded in question marks.[9] Frame has tried to let Edward off the hook for his actions by attempting to understand his motivation. Thus his erosion of the Scottish kingdom's independence can, Frame alleges, be justified because Scotland was an obvious ally of France, with whom Edward was about to go to war. But France and England did not go to war till 1295. And understanding why a policy was pursued does not *de facto* excuse it, though any judgement must be

made from a contemporary, rather than a modern, perspective.

Frame is surely right, however, in acknowledging that a marriage between Margaret and Edward, prince of Wales, was a solution which won general approval; it solved many of the most pressing problems faced by the main protagonists, and reflected the current political relationship between the two kingdoms. That the union of the crowns of England and Scotland envisaged by the marriage did not happen is perhaps as much of a tragedy as the early death of King Alexander; however, the fact that, among other things, Edward took control of the strategically-vital Isle of Man[10] around the same time as he was promising to uphold the integrity of the Scottish crown suggests that he was already quite happy to subordinate the northern kingdom's independence to his own needs. In any event, the Maid's own demise in the autumn of 1290 meant that the carefully formulated expressions of equality between the two kingdoms laid out in the Treaty of Birgham (July 1290) became null and void; from then on the quest for the peaceful accession of a new king moved Anglo-Scottish relations into uncharted and distinctly murky waters.

A.A.M. Duncan has done a wonderful job in teasing out the threads of what seems to have been a deliberate attempt on Edward's part to provide a firmer legal framework for his forfeiture and subsequent takeover of the Scottish kingdom in 1296. This involved the rewriting, or deliberate suppression, of evidence connected with the process whereby the English king was accepted as lord superior of Scotland en route to his judgement on the succession in 1291–2.[11] Understanding this process – comparing what seems to have actually happened with the version presented a few years later – is a tortuous affair.

In the aftermath of the Maid's death, Edward certainly maintained an interest in the turn that events might take in the northern kingdom since both the claimants, Robert Bruce and John Balliol, were English landholders. However, the king also recognised that this new situation, although marking the closure of one door, could open up another. To that end, Edward now seized the initiative, summoning the Scots to a parliament to be held at Norham on 6 May 1291.

The Scots duly came south but remained at Upsetlington, just north of the border. Their intention was to have the king come to them, so that there would be no question of admitting Edward's authority over them by going into England. However, they had not understood that a new game-plan was already in motion, though it soon became very clear that Edward was not budging from Norham. In an attempt to remove the deadlock, a small group of Scots crossed the Tweed on 10 May. This deputation was treated to an extraordinary exposition from Edward through the mouth of Roger Brabazon. Though its main thrust related to the king's desire to see the situation justly settled, it also contained two extremely portentous elements. The first was the most obvious: a demand for both assent to, and recognition of, Edward's overlordship as the background to his settlement of the succession. The

second was a hint, for the first time, that that settlement was more than a simple adjudication between Bruce and Balliol.

The Scots, led by the bishop of Glasgow, Robert Wishart, reacted with shock and anger, but were then, according to Scottish sources, threatened with military action – such a hint that his temper was only just held in check would not have been untypical of Edward. They thus had little choice but to return across the border to consult with their colleagues, having at least gained a three-week adjournment. It was apparently during this period that they attempted to wriggle out of the noose being prepared for them by devising the strategy of denying their competence to comment on the status of the crown; the onus of defending Scotland's sovereign rights was thus placed firmly in the hands of the future king.

When the three weeks ran out on 1 June, the Scots rejected Edward's further exhortations to come south, preferring to send their response to him the following day. They still seem to have thought it worthwhile to appeal to his goodwill, hoping against hope that they could bring him north to arbitrate between the two claimants. But there was to be no change of plan, and there is even a suggestion that Edward used the following days to apply (further) pressure. Nevertheless, he had perhaps got what he wanted – as the Scots themselves admitted, Edward did not need to use force to gain acknowledgement of his overlordship; he could now turn his attention to the men who would be king.

The difference between arbitration and judgement was crucial. The former, which implied, nay, demanded, neutrality on the part of the arbitrator, also required the participation of only two candidates. Judgement, on the other hand, carried with it certain rights, the most important of which was possession of the kingdom in order to execute the judgement on behalf of the successful candidate – a point which Edward seems to have grasped long before the Scots. Duncan has built up a very strong case to suggest not only that the king was the first to intimate that this was a question of judgement, rather than arbitration, but also that he inspired the emergence from the woodwork of the 'motley group' which now put in a claim for the throne. There were fourteen candidates in total, including Edward himself, based, as the Scots apparently thought, on his position as judge requiring to have authority to execute judgement on behalf of the other claimants, a necessary legal evil. The order of events taking place between 3 and 12 June is absolutely crucial to our understanding of how Edward emerged both with sasine (legal possession) of the kingdom and as overlord of Scotland; the fact that the king required his notary, John of Caen, to rewrite that order in his Great Roll after the conquest of 1296 is evidence in itself that the way it had actually happened had not been particularly to his liking.

According to the Great Roll of c.1296, the Scots had acquiesced in the need to give Edward sasine of the kingdom by 7 June, by which time the latter was already also overlord. Duncan has shown that this was simply not the case.

The key to this was Edward's own position as a claimant, a factor completely erased from the Great Roll. The reason for this 'error of commission' was fairly simple: after 1296 the king needed to present Scottish acquiescence in giving him sasine of the kingdom as a result of his overlordship, rather than, as the Scots believed at the time, as a claimant representing the others. The letters of warrandice to the keepers of the Scottish royal castles absolving them for surrendering their charges to Edward on 12 June makes it clear that only the claimants themselves had thus far admitted the latter's overlordship, not the community as a whole.

According to Edward also, the process whereby all the candidates, including John Balliol, had accepted his overlordship (called the award of Norham) was over by 3 June. This implied that the king was then more or less at match point, leaving the Scots with little choice other than to solicit a few promises relating to the integrity of their laws and customs before the business of choosing a king who had already accepted English overlordship could finally begin. The award of sasine, accepted by all, was reckoned to have then occurred on 4 June.

The reality was, once again, far less agreeable than Edward could allow the written record to indicate. The Scots almost certainly remained north of the Tweed, having rejected Edward's continuing attempts to force an acknowledgement of his overlordship from them – something which was clearly still very important to him. Edward then turned to his seven tame claimants at Norham,[12] and easily extracted both the acceptance of his overlordship and his right to sasine of the kingdom from Bruce, Count Florence of Holland, and John Hastings on 5 June, and the other four the following day. So far, so good.

It is striking, of course, that one of the main claimants had not yet done either of these things. Duncan places John Balliol's eventual arrival at Norham on 10 June, at which point the future king was still stressing his hope for *arbitration*, together with the strength of his own claim. Once more, Edward made it clear that he wanted an admission of overlordship, presumably alerting Balliol to the fact that the other candidates had done this and that it was, in fact, a condition of admission to the contest. After consultation with his council, Balliol conceded this point and, alone of the competitors, was made to repeat it in front of the king himself: this 'was the key that gave [Edward] entry to Scotland'.[13] Finally, John Comyn of Badenoch, the *de facto* leader of Scotland's political community, entered his own claim, one which he then put aside for Balliol.

This was indeed the turning-point since it gave the rest of the Scots at Upsetlington no further reason to remain aloof from proceedings; their last chance to keep Edward to arbitration, vested in the man regarded by most as the rightful heir, had failed, and their most important leader, Comyn, as one of Balliol's council, had seen this and accepted the inevitable. On 12 June the Scottish political community finally came to Norham and, though they did not

themselves accept Edward's overlordship, sasine of the kingdom was granted. This process of Norham, at least as important as the Great Cause itself, was effectively over; the king could now appoint various officers of state, 'the effect [of which] was to provide each Scottish sheriff with an English associate in charge of the seat and symbol of royal power'.[14] The four surviving guardians, Bishops Wishart of Glasgow and Fraser of St. Andrews, John Comyn of Badenoch and James the Steward, continued in their office and were joined by a fifth guardian, Sir Brian FitzAlan. Nevertheless, as Geoffrey Barrow points out, Edward 'did not get all he wanted from the Scots in the summer of 1291 . . . recognition of his feudal suzerainty from the community of the realm of Scotland in its fullest, most solemn, most representative character'.[15] They did agree to recognise his lordship, but only for the duration of the search for a new king.

Although doctoring the evidence may appear immoral to us, the use and abuse of the written record was certainly not confined to Edward I and his clerks. The papacy had for centuries provided the example to secular rulers of the efficacy of such activities, and for the same reasons. As Walter Ullman has stressed, hierarchy was defended by 'a reliance on tradition'. However, the papacy was quite used to creating 'a conservatism and a tradition by either antedating documents and ascribing them to earlier authors or by forging documents altogether and dating them in the far distant past in order to be safe enough to escape a check'.[16] These rulers believed that, if the written record did not explicitly justify a particular claim, they were quite entitled to 'adapt' it because their position of authority by definition entitled them to such rights, however unprecedented. Edward, and later King Robert Bruce, understood well that altering the particular was entirely justified by the general.

The reference to the papacy is no accident. The final chapter of the Process of Norham relates not to the events themselves, but to the reason why Edward found it so necessary, five years later, to doctor his own record account of them. According to Duncan again, the suppression of a recognised Christian kingdom was bound to provoke trouble abroad, not least because the Scottish church claimed special daughter status in Scotland's relationship with the papacy.[17] It was thus absolutely essential that Edward could show, as he would almost certainly be called upon to do, that he had become 'overlord without fear, by acceptance', since, under common law, a concession made in 'fear' was invalid. However:

> the threats of force, the resistance encountered, the concessions made, the fraud in the compromised solution, and, above all, the falsehoods told increasingly in the developing record, all show that Edward's lordship was built upon the temporary fears and weaknesses of the Scots, and not upon sound law and precedent.[18]

That Edward I was duplicitous is not really at issue. However, we must be careful not to impose our own values on approaches to politics in the past.

The king clearly knew that the events of 1291 would not guarantee his position in the eyes of Christendom after the conquest of 1296 and he acted accordingly. But he himself was surely in no doubt that he had been within his rights, as a king of England who had inherited a long tradition of superiority vis-à-vis Scotland, to deal with the Scottish question in the way that he did, including the use of forfeiture, invasion and appropriation of the northern kingdom.

In the meantime, the conclusion of the process of Norham in June 1291 meant the commencement of the Great Cause.[19] Edward could now afford to be magnanimous: the court would sit on Scottish soil, at Berwick. One hundred and four auditors would hear the cases of the fourteen claimants – twenty-four from Edward's own council, and forty each on behalf of Balliol and Bruce, indicating that, in reality, there were still only two competitors. However, no sooner had the hearing got underway than it was abruptly halted when Count Florence V of Holland came out with the extraordinary assertion that Earl David of Huntingdon, through whom Balliol, Bruce and John Hastings all made their claim, had signed over his and his heirs' rights to the throne to his brother, King William, in return for the lands of the Garioch. Even more astonishingly, it was alleged that King William had also named his sister Ada, who had married Florence's grandfather, as his heir, until the arrival of the future Alexander II. The failure of the direct male line from King William, it was argued, meant that Ada's descendants were therefore the rightful heirs. Unfortunately Count Florence did not actually have any documentary proof of this claim, but was given ten months up until 2 June 1292 to find the relevant evidence.

As Barrow has pointed out,[20] Count Florence's claim was certainly extraordinary, though more for its audacity in the face of its extreme improbability than as a dramatic revelation. The more important question is why it was brought up at all; it was presumably a delaying tactic, but on whose behalf? The most likely candidates were Robert Bruce of Annandale and Edward himself, both of whom appear to have had a hand in the Count's entry into the fray in the first place.[21] Bruce's involvement probably related to the fact that he was actually fairly convinced that Balliol would win through his strong, straightforward case of descent in the senior line. As a result, the Competitor was keen to adopt a contingency plan which might scupper Balliol's chances, even if Florence's claim also ostensibly superseded Bruce's own. The close relationship between the two and especially the agreement of 14 June 1292, whereby if either won the contest, one-third of the royal demesne would be given over to the other, makes this fairly clear: 'It seems hardly likely that the count was really anxious for the Scottish throne; if he used his claim in order to defeat Balliol, the Bruces would reward him well'.[22]

Edward also used these ten months to work on an alternative strategy. Immediately after the adjournment of the court, on 1 August 1291 six Scottish

magnates, including James the Steward, were offered lands in England 'if it happens that the realm of Scotland shall remain in the possession of the king and his heirs'.[23] This may well have been an attempt to test the waters of Scottish public opinion for the use of the ultimate argument: that, in keeping with more general feudal law relating to land, Scotland should escheat to its overlord because of the failure of the male line. If so, it met with a stony response: Scotland was not any old estate, but an ancient and sovereign kingdom. The offers were cancelled and the Great Cause was resumed. However, as Ranald Nicholson suggests, 'After a year of [Edward's] personal rule it would be difficult for any succeeding king to assert the independent tradition of Scottish monarchy'.[24] That may also have been part of the plan.

Given the failure of Count Florence to find any relevant documents, by the deadline the reconvened court now agreed that its first task was to decide between the Bruce and Balliol claims. Yet again the existence of the other competitors seems entirely peripheral to the search for a king. On 6 November, the court finally adjudicated in Balliol's favour. Bruce the Competitor was forced to accept this decision, but he had certainly not given up. The very next day he transferred his claim to the throne to his heir, the earl of Carrick. Two days later, the latter attempted to pass on his earldom to his own son, Robert (though this move was later blocked temporarily by King John). However, the end result of this careful legal manoeuvring was that the middle Bruce now technically held no lands or title in Scotland. There was a very good reason for this apparent disinheritance: all Scottish landowners would soon be required to swear homage and fealty to Balliol, since it was only a matter of time until he was named as king. The Competitor's son, in whom the claim to the throne had now been vested, would not need to make such an important and binding oath; he would therefore be free to pursue his claim when the time was right.[25]

The last acts of this drama took place soon thereafter. In the first instance the eldest Bruce now threw in his lot with John Hastings, who, since November 1292, had argued that the kingdom should be divided among the three descendants of Earl David of Huntingdon. The adjudicators rejected this, deciding that the kingdom must remain intact. Count Florence's claim was then swiftly dealt with, for the simple reason that he still could not substantiate his assertions. When the latter withdrew, six others followed suit and three more were thrown out for having neglected to pursue their claims. Finally, on 17 November 1292, Edward judged John Balliol to be the rightful king of Scots, demanding an immediate admission of his overlordship; the new king was then enthroned at Scone at the end of the month. Within another month King John had sworn homage and fealty for his kingdom a second time.[26]

Historians have been aware for some time that Balliol's reputation as king resulted in part from the very difficult circumstances of his reign, but more particularly from the effect on that reputation of the propaganda of the man

who usurped his throne, Robert Bruce, and subsequent pro-Bruce writers, such as John Barbour. Nevertheless, the general impression of the unfortunate John remains that of Toom Tabard, the spineless monarch who did little or nothing to save either his kingdom or his good name from the rapacious Edward. The reality of Balliol's reign is far less flattering to the Bruces, and rather more conventionally successful than will fit at all comfortably with the 'weak and incompetent' stamp usually placed upon it. As Nicholson notes:

Balliol set out to be no less a king than his predecessors: his family had had links with Scotland since the twelfth century; there was nothing to hinder the acclimatisation of the new dynasty, particularly since it was backed by the Comyns, not only the most powerful baronial family but one with the best claim to be regarded as 'patriotic'. . . . Between February 1293 and May 1294 at least four parliaments were held. On one occasion parliament was to be the seat of 'the dispensing of justice upon a scale which may have been unprecedented in Scotland' . . . In general there is 'remarkable evidence that King John and his council were determined to secure the possessions and authority of the crown'.[27]

Within the domestic arena, therefore, John's style of kingship was fairly indistinguishable from that of his predecessors as kings of Scots; his interest in the maintenance of royal authority through the bureaucratic machinery of government and the policy of assimilation of the newly-acquired west highlands and islands both attest to this. Indeed, the creation of the sheriffdoms of Skye, Lorne and Kintyre in 1293, under normal circumstances, would have marked the final stage of the Scottish crown's forcible acquisition of the area: 'the immediate consequence [of the creation of the sheriffdoms] – and one which the crown might well have desired to achieve – was destabilisation, even a localised civil war, as other important members of that community fought to maintain their own positions'.[28] However, the 1293 legislation was a declaration of intention only: sheriffdoms in the north-west were not firmly established until the later fifteenth century. The outbreak of war, which initially eclipsed the Scottish crown and subsequently took up so much of royal time, largely knocked on its head the process of assimilation which had been so enthusiastically engaged upon in the thirteenth century.[29]

However, it would be foolish to ignore the fact that the reign was overshadowed by Edward's determination, right from the start, to enforce a new definition of overlordship on the man he had made king. Overt English influence was noticeable at a number of levels. The royal seal bore the style 'by God's grace king of Scots', instead of the traditional 'king of Scots under God's governance'. The new chancellor, Master Thomas of Hunsingore, was a Yorkshireman. Most likely to offend, however, was the fact that Master Alpin of Strathearn, the king's chief financial officer, was described as treasurer, rather than chamberlain, thus conforming to English practice.

But such quibbles over words were presumably of far less concern than

what was going on elsewhere. At the beginning of January 1293,[30] King John was forced to release Edward from any possible implications of the Treaty of Birgham and his promises at Norham; nothing was to be allowed to stand in the English king's way of the widest possible interpretation of his rights as overlord. There had already been a test case within the judicial sphere: the speed of the arrival of Roger Bartholomew's petition (7 December 1292, only one week after King John's enthronement), together with the remarkably prompt payment of his expenses (6 January 1293), makes it almost impossible to believe that this was not a deliberate attempt to make the redistribution of sovereign power abundantly clear. Further cases ensured that John and the Scottish political community were left in no doubt that the Scottish king could, and would, be summoned to answer for the actions of his own courts before Edward in England.[31] Thus, as Professor Barrow has succinctly put it, 'At every step he took, the new king would have to pause, examine its implications, and find out whether it could be allowed under the new régime . . . It was John's misfortune that he had succeeded to a kingdom which could not have been ruled by anyone forced to walk such a narrow tightrope'.[32]

However, the situation had almost reached breaking-point. The main unanswerable question relates to whether or not Edward had always intended to provoke a violent reaction from the Scots in order to justify getting rid of the kingship altogether and taking Scotland directly under his own control. It is not beyond the bounds of possibility, though he would certainly not have wanted a Scottish revolt by 1294, when he was planning a war with France. Ironically, however, the breakdown of Anglo-French relations provided exactly the catalyst the Scots needed in order make their bid for freedom.

The demand for military service in France was a powerful reminder not just to the Scots, but also to the recently-conquered Welsh, of Edward's success in extending and formalising English authority throughout the British Isles. The Welsh reacted first, seeking their independence under Madog ap Llewelyn, head of a junior branch of the royal house of Gwynedd. The failure of this revolt set the seal on Edward's conquest of Wales.[33]

The Scots did not rush to follow, partly because they wisely intended to play a card denied to the principality, an alliance with France, and partly because Balliol was very reluctant to commit himself to an all-out war with England. In order to circumvent this reluctance, the political community adopted an extraordinary policy, given their essentially conservative nature: they sidelined the king and installed a caretaker government of twelve guardians. Or did they? It has been pointed out to me that our perception of these events is based on sources, either pro-English or pro-Bruce/Stewart, who were hostile to Balliol. Perhaps this council, led still by the Comyns, was required to indicate widespread support for war with England. Certainly one of the ambassadors to France was Sir John Soules, later chosen personally by the king to be guardian in 1301. These were extraordinary times, when normal procedures sometimes needed adapting. And perhaps King John, too, needs

looking at with fresh eyes.

We could blame Balliol for not having stood up to Edward earlier. However, events from 1291 onwards make it fairly clear that nothing short of war would have been sufficient to stop the latter even temporarily in his tracks. Unsurprisingly, the Scottish political community had, until now, also bowed to this implicit threat, primarily because the need for a lawfully adjudged king was imperative to prevent the outbreak of civil war. It was also unquestionably the case that fighting England was likely to do serious damage to the nation's health and was therefore not a decision to be taken lightly. Ironically, given the extraordinary constitutional events of 1295, the Scots could perhaps contemplate taking Edward on precisely because they now had a king, even if the latter's executive powers were in the hands of the guardians.[34]

An embassy of four Scots – William Fraser, bishop of St. Andrews, Matthew Crambeth, bishop of Dunkeld, Sir John Soules and Sir Ingram Umfraville – was despatched to Paris in July. By 23 October they had concluded a treaty with King Philip guaranteeing that they would maintain hostilities against England in return for military aid from the French should Scotland be invaded; a peace could only be made if both sides agreed. It was further stipulated that King John's son and heir, Edward Balliol, should marry King Philip's niece, Jeanne Valois. The king and a wide cross-section of the Scottish political community, including representatives of the burgesses, ratified this treaty on 23 February 1296; the need for such an unusually broad acknowledgement of support indicates not only a concern to validate the actions of a council acting on behalf of a mature king, but also the need to impress on the country at large that the French alliance meant war. The army had already been ordered to muster on 11 March 1296 at Caddonlee, the traditional launching-pad for a Scottish invasion of England. Unsurprisingly, the Bruces refused to follow Balliol to war, perhaps reckoning that their hopes for the Scottish throne were now looking distinctly healthier.[35]

Though Edward could not have known that the Scots had ratified the treaty until after his own invasion of Scotland, he was well aware of the direction that events were taking. His own preparations had begun as early as October 1295, when he ordered the lands of all Scotsmen living in England to be confiscated; two months later the writs of summons for a muster at Newcastle on 1 March 1296 were issued. He left it to the Scots to make the first move of the campaign, however: Wark castle, just south of the Tweed, was surprised by a Scottish force, though soon recovered; a larger Scottish army led by the earl of Buchan then crossed the border and ravaged the countryside round Carlisle on Easter Monday (26 March). Neither action gave the Scots any advantage, but it certainly provided Edward with more than enough excuse to order his own advance across the Tweed.

The army brought to Scotland for the first time in Edward's reign was

intended to be overwhelming. Though the demands for 1000 men-at-arms and 60,000 infantry were vastly over-inflated (the infantry certainly was at least half that number), it was still a hugely impressive show of military might by medieval standards.[36] The English army, particularly under the leadership of as formidable a commander as Edward I, was one of the most advanced in western Europe. However, it has been remarked that Michael Prestwich, Edward's most recent biographer:

has considerably modified the conventional view that Edward I transformed the English army from an old-fashioned and inefficient feudal force into a professional, paid army recruited by contracts and indentures. In fact, the pace of change was slow and the king's cavalry forces were recruited on very mixed lines.[37]

The élite group from which the cavalry section of the army could be drawn is reckoned to have comprised in total around 1,250 actual knights, extending to a potential of up to 3,000. Even the upper figure is still a tiny proportion (0.05%) of an English population of 5–6,000,000.[38] However, by the end of the thirteenth century the quotas of knights owing the traditional feudal forty days' unpaid service to the crown had decreased enormously. It has been reckoned that 'some 90 per cent of the *servitium debitum* had, in a word, evaporated . . .'.[39] This did not, of course, mean that knights no longer served enthusiastically in English armies, but the ways in which they were recruited had certainly changed from the post-Conquest era. Under Edward I the strict feudal element was certainly fairly small (perhaps around 20% of the total); most served for pay, including foreign mercenaries. However, a significant number of top-ranking nobles seem to have performed their service freely at their own expense, primarily perhaps in order to maintain their independence. Many of these men were extremely experienced and maintained a strong personal association with the king, both as comrades-in-arms and through service in the royal household; they were thus ideally placed to serve Edward in associated military capacities, in the fleet, as constables of castles, as administrative officers.[40] However, as we will see, their usefulness to the crown was not necessarily matched by an enthusiasm to serve in Scotland.

Under Edward I, the recruitment of infantry was certainly made more efficient, although the effect of this on local communities was the equivalent of an increased level of taxation. The commissioners of array were the main innovation: often royal clerks,[41] their main role was to ensure that only the best were recruited into the royal army. These sturdy yeomen were then to be 'equipped with white tunics, swords and knives, all at the expense of the local communities'.[42] They certainly needed their strength: the long march into Scotland and the difficulties in maintaining the supply line affected them first and hardest. Indeed, the problems inherent in maintaining such large medieval armies (up to 25,000 infantry) was almost too much even for Edward I; time and again he was unable to prevent desertion from forcing him to change his

plans as the campaigning season drew to a close. This provided the Scots with one advantage in the military arena: the knowledge that the English army was, until 1303–4, apparently unable to stay in the field over the winter.

The Scottish army itself remains something of a mystery since there are no records relating to recruitment, pay or provisioning as there are for England. Indeed the historian – perhaps like the chronicler – is left to guess even rough working numbers by creating a proportion from English figures relative to the ratio of the two populations (generally reckoned to have been 6:1).[43] Thus, we arrive at a total of around 200 actual Scottish knights, with a pool of up to about 500. This paltry figure would certainly accord with the general lack of cavalry attributed to the Scots, who fought battles around their infantry.

As well as its basic numerical problem related to the size of the population and the resources of the kingdom (knights = land), the Scottish knightly class also had a problem with its collective experience. The last military engagement on Scottish soil had been over thirty years earlier, in 1263, when the Norwegians invaded the west coast to protect their overlordship of the western Isles. Though the Scots ultimately won that contest, they did not do so as a result of the inconclusive skirmish at Largs, but through the death of King Haakon of Norway shortly afterwards.[44] Some Scottish nobles, including John Comyn of Badenoch and Robert Bruce of Annandale, had fought on the royalist side one year later during the English civil war. Unfortunately, they chose the losing side, although this was also the only battle in which Edward (still heir to the throne) took part and lost.[45]

That the Scottish crown had diverted its attention away from the military potential of the kingdom and sought to maximise its economic capabilities is a growing theme in thirteenth-century Scottish history. Indeed, the extent of 'feudalisation' in Scotland, in the sense of the holding of knights' fees in return for military service, is also questionable. For example,

> . . . after the death of Alexander III, Earl Malise [of Strathearn] issued at least three – and doubtless more – discharges of extraordinary military service to tenants. As these discharges make clear, even Sir William Murray, an important member of the earl's inner circle, only owed traditional Scottish service for his lands, rather than a quota of knights. This, together with the clear evidence for the continued and increasing exploitation of the area's economic resources . . . reflects a lack of concern over the exploitation of military resources which is evident throughout most of Scotland.[46]

Under William the Lion, the crown does seem to have desired the creation of knights' fiefs more consistently beyond the 'Normanised' areas of Lothian and parts of the south-west. Most particularly, the king wanted more feudalisation in the heartland of Scotland – north of the Forth – where the ancient Scottish earldoms, like Strathearn, were located. This policy, presumably motivated by the king's desire to regain parts of Northumberland,

was successful for a while, but only a century later it is clear that the holding of land for knight's service was highly unusual; both blench-ferme and feu-ferme were the norm. If more proof was needed that the crowns of Scotland and England were growing closer, not further apart, during the thirteenth century, the fact that Scotland's kings deliberately chose to let the kingdom's military apparatus decline is surely a good indication of the confidence felt in the relationship.[47]

Of course, when war did break out, Scotland was even more militarily unprepared than was necessary for such a small kingdom; on balance, the army might be better described as pre-feudal in nature, rather than as a poorer version of the military machine it was about to face. The basic form of recruitment relied on 'free service' – that 'performed by free men – barons, thanes, knights, serjeants and other freeholders' who were equipped and mounted according to their rank; and 'Scottish service', demanded of the earldoms of the ancient kingdom north of the Forth, which entailed 'the attendance of able-bodied men from the "horseless classes" '. This 'essential duality of the Scots army, dating from the reign of David I, seems to have endured till the close of the thirteenth century, at least two converging forces were at work by the mid century which would have a reunifying effect, so that by c. 1300 the army would be more or less what it must have been two centuries earlier, a truly national force diversified by its weaponry and military skills rather than by its method of recruitment.' Equally, though the army which was defeated by Edward in 1296 was essentially of élite composition, 'the speed with which Andrew Murray and William Wallace raised their infantry force in the following year suggests that the machinery for summoning and training the non-feudal "common army" was not rusty from lack of use'.[48]

Nevertheless, the confidence shown by the Scots in 1296 is hard to square with the creaky old military machine with which they were about to defy that veteran commander, Edward I. Equally importantly for the prosecution of the war in the following years, the Scots had no siege equipment. Finally, the grip which the Comyn family exerted on the leadership of the Scottish political community meant that military command often devolved on the earl of Buchan in particular. 'Unfortunately for the Scots, the earl was not a particularly successful general, though it is perhaps understandable, given Comyn dominance of the political community, that no-one seems to have pointed this out'.[49] The contest between Scotland and England was always likely to have been of David and Goliath proportions but the extent of the Scottish army's backwardness and inexperience says much about the commitment of its leaders to the cause of independence, and their naïvety.

That commitment was perhaps given greater resolve by what happened immediately after Edward and his army crossed the border.[50] On 30 March 1296 the English arrived before the walls of Berwick-upon-Tweed, Scotland's most important burgh. A breakdown in communications caused the English

fleet to launch an unsuccessful attack, which in turn prompted Edward to unleash his army. The town, still defended only with a wooden palisade, offered little or no defence and the castle's commander, Sir William Douglas, promptly surrendered. Sadly, such alacrity did not save many of the town's menfolk, who were then apparently butchered in their thousands.

The Scottish army, still engaged in attacking the north of England to very little effect, quickly returned home and a force under the earls of Mar, Ross and Menteith seized the castle of Dunbar. Though the earl of Dunbar consistently supported Edward, his countess, a daughter of John, earl of Buchan, seems to have sided with her father against her husband and let them in. They were soon besieged by an English force under Balliol's brother-in-law, John de Warenne, earl of Surrey, whom the rest of the Scottish army attempted to engage on 27 April. Foolishly misinterpreting English preparations for the engagement, the Scots rushed in too soon and were summarily defeated. The castle surrendered the following day.

Despite the fact that King John himself and, perhaps more importantly, the Comyns of Badenoch and Buchan had not been present at Dunbar,[51] Scottish resistance collapsed almost entirely as a result of the defeat. As castle after castle was handed over to Edward, Balliol and his allies moved north, but by midsummer they had accepted the inevitable. After some negotiation, Edward decided that he would be satisfied only with complete surrender and King John was duly summoned to endure the ritual stripping of both his dignity and his kingship. The Scottish seal was broken in two and Balliol, together with the symbols of Scottish independence, the stone of Scone and the Black Rood of St. Margaret, was sent off to ignominious exile in London. Meanwhile Edward enjoyed a leisurely progress round Scotland, accepting the homage and fealty of the vanquished Scottish nobility. Then, in August, he called a parliament at Berwick and set about the business of constructing a suitable administration for his new acquisition.

It is hard not to marvel at the vast array of tactics which Edward I could and did employ in seeking to bring the Scottish kingdom under his direct control. Equally, it is easy to feel sympathy for the Scots, who had very little choice but to employ the unlikely longshot of the military option if they were to have any chance of extricating themselves from Edward's well-prepared web of powerful argument and legal half-truths. It cannot, of course, be claimed that the English king had all the moves worked out long in advance, nor that the ultimate aim was always to suppress the independent Scottish kingship. However, it surely did not take very much involvement in Scottish affairs after the death of Alexander III to make Edward realise that such an outcome was perhaps on the cards if he played them shrewdly. The Scots certainly did not prove themselves unworthy or ignoble in the decade between Alexander's death and the conquest of 1296; on the contrary, the political community, as a

group, generally acted with sense and a profound commitment to Scotland's sovereign rights. That they proved unable to prevent the takeover merely attests to the odds against them. Edward's success, on the other hand, was less a result of his views on the *actual* rights which he had inherited, but rather stemmed from 'an awareness of the potential for expanding royal power by cutting through an ambiguous, contradictory and ill-defined body of precedent and tradition which characterised most relationships, including that between Scotland and England'.[52]

It is important to realise that Edward was quite convinced that the 'Scottish problem' had been sorted out once and for all. However, he was foolish to ignore the clear evidence for the depth of feeling towards the independence of the Scottish kingdom evident in the words and deeds of its political community – witness the anger expressed when Edward first brought up the overlordship question in May 1291 and the united front presented by the élites in the build-up to war in 1295. Though we certainly have the benefit of hindsight, the question which political pundits should probably have been asking as 1296 drew to a close was not whether the Scots would seek to throw off England's rule, but if they would be able to bring together a form of resistance which would have any chance of success against the mighty Plantagenet.

NOTES

1 T. Wright, *Political Poems and Songs relating to English History* (London, 1839), pp. 160–81.
2 R. Frame, *The Political Development of the British Isles, 1100–1500* (Oxford, 1995), p. 7.
3 *Ibid.*, p. 59.
4 *Ibid.*, p. 130.
5 For the history of Anglo-Scottish relations generally and the overlordship question in particular, see *ibid.*, pp. 14–18, 33–4, 47–9; A.A.M. Duncan, *Scotland: The Making of the Kingdom* (Edinburgh, 1992), Chapter 9; M. Powicke, *The Thirteenth Century* (Oxford, 1991), pp. 585–596.
6 See, for example, Frame, *The Political Development of the British Isles*, pp. 162–4; M. Prestwich, *Edward I* (London, 1988), pp. 356–8; N. Reid, 'The kingless kingdom: the Scottish guardianship of 1286–1306', *SHR*, 1xi (1982), pp. 105–29; A. Young, *Robert the Bruce's Rivals: The Comyns, 1212–1314* (East Linton, 1997), Chapter 5.
7 See Prestwich, *Edward I*, Chapters 7 to 9.
8 See A Young, 'Noble Families and Political Factions in the Reign of Alexander III', in N. Reid (ed.), *Scotland in the Reign of Alexander III, 1249–1286* (Edinburgh, 1990) pp. 1–30, esp. p. 7; Frame, *The Political Development of the British Isles*, pp. 62–3.
9 See Prestwich, *Edward I*, p. 359.
10 The Isle of Man and the Western Isles were ceded by Norway to the

Scottish Crown in 1266.

11 The following discussion is based on A.A.M. Duncan, 'The Process of Norham, 1291', in P.R. Coss and S.D. Lloyd (eds.), *Thirteenth Century England V* (Woodbridge, 1995), pp. 207–29.

12 These were Bruce himself, Count Florence and John Hastings, together with four 'no-hopers' of illegitimate descent, Patrick, earl of March, William de Ros, William de Vescy and Nicholas de Soulis. Another no-hoper, Robert de Pinkeny, was probably not yet present at Norham, while King Eric of Norway, Roger de Mandeville and Patrick Golightly also put in claims at a later date. We will come to Balliol and Comyn shortly.

13 Duncan, 'The Process of Norham', p. 220.

14 Ibid., p. 224.

15 Ibid., p. 222; Barrow, *Bruce*, p. 31.

16 W. Ullman, *The Growth of Papal Government in the Middle Ages*, 3rd edition (London, 1969), p. 177. I am very grateful to Dr. Scott Matthews of the Religious Studies department at Stirling University for this reference and a most fruitful discussion on this issue.

17 The special daughter status 'no-one between' was granted to Bishop Jocelyn of Glasgow by Pope Alexander III in April 1175 during the ongoing quarrel with the archbishops of York over the relationship between the latter and the Scottish church: Duncan, *Scotland: The Making of the Kingdom*, p. 263.

18 Duncan, 'The Process of Norham', p. 229.

19 The following discussion on the Great Cause is based on Barrow, *Bruce*, pp. 39–53 and R. Nicholson, *Scotland: The Later Middle Ages*, pp. 38–43.

20 Barrow, *Bruce*, p. 40.

21 Duncan, 'The Process of Norham', pp. 214–5.

22 Barrow, *Bruce*, pp. 43–8.

23 *Rot. Scot*, vol. i, p. 3.

24 Nicholson, *Scotland: The Later Middle Ages*, p. 41.

25 *APS*, i, p. 447; see R. A. MacDonald, *The Kingdom of the Isles: Scotland's Western Seaboard, c.1100–c.1336* (East Linton, 1997), p. 163, n. 14.

26 Balliol would have sworn homage and fealty to Edward for his English lands when he came of age; these second ceremonies were thus exclusively related to the kingdom of Scotland.

27 Nicholson, *Scotland: The Later Middle Ages*, p. 44, also quoting from A.A.M. Duncan, 'The early parliaments of Scotland', *SHR*, xlv (1966), pp. 40–3, 46. For general discussions of the reign of King John and the lead-up to the outbreak of war see Nicholson, *Scotland: The Later Middle Ages*, Chapter 3 and Barrow, *Bruce*, Chapter 4.

28 F. Watson, 'The enigmatic lion: Scotland, kingship, and national identity in the wars of independence', p. 20.

29 Cf. MacDonald, *The Kingdom of the Isles*, Chapter 5.

30 The New Year in the middle ages began on 25 March (nine months – the

period of conception – before Christmas). January 1293 was thus still technically January 1292, but the modern dating has been used throughout to avoid clumsiness or confusion.

31 See Barrow, *Bruce*, pp. 51–2; Nicholson, *Scotland: The Later Middle Ages*, pp. 45–6.

32 Barrow, *Bruce*, p. 55.

33 Prestwich, *Edward I*, pp. 219–232.

34 I am extremely grateful to Dr Grant Simpson for casting enormous doubt on the usual interpretation of the events of 1295.

35 Barrow, *Bruce*, pp. 66–7.

36 Prestwich, *Edward I*, pp. 469–70.

37 P. Coss, *The Knight in Medieval England* (Stroud, 1995), p. 100.

38 *Ibid.*, pp. 83–4.

39 P. Contamine, *War in the Middle Ages* (Oxford, 1986), p. 80. *Servitium debitum* is, literally, service owed.

40 Coss, *The Knight in Medieval England*, pp. 100–1; also Barrow, *Bruce*, p. 68.

41 Hugh Cressingham served as one in Norfolk during the Welsh uprising.

42 Prestwich, *Edward I*, p. 407; see also Contamine, *War in the Middle Ages*, p. 151.

43 See A. Grant, *Independence and Nationhood: Scotland 1306–1469* (London, 1984), pp. 72–3.

44 Haakon's successor, King Magnus, decided to cede the western highlands and islands to the king of Scots in the Treaty of Perth (1266).

45 Barrow, *Bruce*, p. 24; Frame, *The Political Development of the British Isles*, p. 162.

46 F. Watson, 'Adapting tradition?: the earldom of Strathearn, 1114–1296', in R. Oram and G. Stell (eds.), *Lordship and Architecture in Medieval and Renaissance Scotland* (forthcoming); also F. Watson, 'Expressions of power: thirteenth-century Scottish castles', in S. Foster, A. Macinnes and R. Macinnes (eds.), *Scottish Power-centres* (forthcoming). Earl Malise was acknowledging that the military service required in these traumatic times was unprecedented and that its performance was at the goodwill of the tenant, rather than as an obligation owed to him as lord. However, these grants might also provide evidence of the fact that any form of military service was highly unusual in the more settled times of the later thirteenth century.

47 Watson, 'Adapting tradition?: the earldom of Strathearn' (forthcoming). Blench-ferme was the payment to the lord of a token, such as a pair of spurs at Christmas, and was certainly part of the development of feudalism; feu-ferme was a money rent, and was unusual in this period. Money rents were also the norm in burghs.

48 Barrow, *Bruce*, p. 67, G.W.S. Barrow, 'The Army in Alexander III's Scotland' in N. Reid, *Scotland in the reign of Alexander III, 1249–1286*

(Edinburgh, 1990) pp. 133–4.

49 Watson, 'The Enigmatic Lion: Scotland, kingship and national identity in the wars of independence' pp. 25–6.

50 See Prestwich, *Edward I*, pp. 470–6 and Barrow, *Bruce*, pp. 69–79 for accounts of the conquest of 1296.

51 Though John Comyn of Badenoch, junior, the future guardian, was captured in Dunbar castle: *CDS*, ii, no. 742.

52 F. Watson, 'Settling the Stalemate: Edward I's Peace in Scotland, 1303–1305' in M. Prestwich, R. Britnell & R. Frame (eds.), *Thirteenth Century England VI* (Woodbridge, 1997), p. 129.

CHAPTER TWO

THE RESISTIBLE RISE OF EDWARDIAN GOVERNMENT

THE collapse of John Balliol's government less than two months after the catastrophic defeat at Dunbar brought Scotland quickly and easily under King Edward's direct control. He and the triumphant English army were well-pleased with their efforts: the king himself allegedly remarked, with a believable air of crude over-confidence, that 'It's a good thing to be rid of shit'.[1] Since the decision to go to war had been taken on a broad basis of consent, the events of April to July 1296 must be seen as a defeat of the Scottish political community as a whole, and its Comyn leadership in particular.[2]

The choice facing the Scottish nobility captured as a result of Dunbar was a stark one: either accept Edward as overlord or remain *hors de combat* in prison. A number, such as William, earl of Ross, refused to give in for several years, before finally accepting that such a course, however honourable, was also quite futile.[3] Of course, once an oath of allegiance had been taken, the honourable course was to stick to it; a true knight would not merely pretend to swear it, then change sides the minute he was released. That many did choose to go back on their word was as much an issue of conscience as it was for those who did not. Obviously, what Edward had done was not regarded as honourable by the Scots either, but contemporary ethical codes made it difficult for the élites to always know which was the 'right' course of action. The reticence of the Scottish nobility in these next couple of years, which contrasts sharply with their assurance and assertiveness in 1295, signifies a profound crisis of confidence caused by the ease with which the English had brought about their defeat and submission. Unfortunately for Edward, however, this was only a temporary state of affairs.

Having progressed pointedly through an abject Scotland, Edward returned to Berwick in August to lay down ordinances for the future government of the conquered kingdom. The records bear out the assertion of the chronicler,

Walter of Guisborough, that the king ordained a new treasurer, seal and chancellor, appointed justices and commanded all to do homage to him. Though sufficient to provide for the establishment of the new regime, this was not a 'paper constitution': '. . . the kingdom was not abolished but remained in abeyance'. Nine years later, Edward would finally pronounce on Scotland's status but his silence in 1296 indicates just how ambivalent even he felt his legal position to be.[4]

The most senior member of the new administration was the royal lieutenant, John de Warenne, earl of Surrey, the victor of Dunbar. As Edward's immediate representative in Scotland, his duties were almost as varied as those of the king himself and thus he was crucial to the smooth running of the new regime. The temporalities of vacant sees were his to administer, as well as the patronage of benefices up to the value of forty marks,[5] which would have included most Scottish parishes in royal patronage.[6] However, apart from his military capacity, the earl's most important responsibility was to administer justice: he could either deal with petitions from Scots himself, or, if they had been submitted directly to Edward (in parliament), he was still obliged to investigate each case before the king made judgement.[7]

The best hope of the new regime in gaining the acceptance of the vanquished Scots was surely to promote an effective judicial system for the redress of any grievances, although the imposition of overtly English, in preference to Scottish, practices was a potential cause of resentment. Surrey, however, soon made it perfectly clear that he was seriously underwhelmed by the honour of his new office and would expend the minimum amount of effort on it. This appointment was undoubtedly a serious error on Edward's part and is indicative of the high-handedness and lack of foresight which characterised the English king's treatment of his new acquisition in 1296. He would soon live to regret it.

The new chancellor was Walter Amersham, a royal clerk who did have previous experience of Scottish affairs, having served as an associate of Bishop Alan of Caithness, the chancellor during the interregnum.[8] Amersham's primary responsibility was to oversee the issuing of royal writs. The other important official at the chancery was William Bevercotes, appointed on 5 October 1296 to 'keep, collect and deliver writs sealed with the seal used by the king in Scotland'. This was a new seal presumably struck in the same year as the conquest and a telling reminder to the Scots of the profound alteration in their relationship with England and its king. Bevercotes was also to account for the issues of the seal[9] at the exchequer at Berwick.

However, the most important office turned out to be that of treasurer of Scotland, perhaps more by virtue of the 'qualities' brought to the job by its incumbent, Sir Hugh Cressingham, than through any deliberate royal policy. He was certainly extremely experienced, having served as a justice in various English counties, including Lancashire most recently.[10] It should be noted that

the very office of treasurer was still likely to be an offensive innovation, since the chief financial officer under the kings of Scots (before Balliol) had been the chamberlain. In September 1296 the early rolls of the Scottish exchequer were sent from Edinburgh castle to Berwick; however, in March 1297 a transcript of regulations was despatched from London to establish the Scottish exchequer along the same lines as the one at Westminster. Various rolls from the early years of Edward's reign and a bundle of writs from the reign of Henry III were also sent up to Scotland, presumably for reference. Thus, despite having sufficient documentation to provide examples of Scottish procedure, the new regime had no qualms about replacing it with English practice. However, these various documents were all returned to Westminster in November 1297, only two months after the hated Cressingham was killed at the battle of Stirling Bridge; there was no further need for them because the Edwardian administration had collapsed.[11]

These three offices formed the main core of the administration at Berwick. They were supplemented by three justiciars, conforming to the traditional Scottish format of 'a justiciar of Lothian, a justiciar beyond the sea of Scotland [i.e., north of the Forth] and a justiciar of Galloway'. The appointees were William of Ormesby, William Mortimer and Roger Skoter respectively,[12] all Englishmen who cannot have been well versed in Scots law or the Scottish legal system, surely a necessary prerequisite for the job. Nevertheless, the office of justiciar was obsolete in England but not in Scotland, and thus Edward cannot be said to have been completely insensitive to Scottish practices.[13] Finally, two Englishmen were appointed as escheators: Henry Rye north of the Forth and Peter Dunwich in the south. Rye was also granted custody of the royal castles of Elgin and Forres, while Dunwich was made keeper of the Gifford castle of Yester in east Lothian. Edward was here conforming to English custom, since the office of escheator was normally performed by the sheriffs in Scotland.[14]

The keepers of royal castles, who were often also sheriffs, were of great importance to the new administration. As the king's officers throughout the country, they were the most widespread and obvious representatives of the new regime. This was naturally of greater moment if the new appointees were English. The significance of castles as power-centres in Scotland was much less than in England and France, reflecting the uncentralised nature of power in the northern kingdom. The thirteenth-century kings of Scots generally had little need to architecturally overawe their greatest subjects who were, indeed, the accepted instruments of royal power. The exceptions were areas, such as Galloway, which had once resisted royal control.[15]

After the conquest of 1296, several changes were introduced, providing the new administration with thirty sheriffdoms.[16] A number of appointments were made as early as May 1296,[17] while the conquest of Scotland was still underway; however, most were superseded in the autumn. Between September and October the sheriffdom of Roxburgh, with its impressive

castle, was granted to Sir Robert Hastangs, junior; Sir Hugh Elaund took over the combined responsibility of the keepership of Jedburgh castle and the strategically vital Selkirk Forest; Sir Walter Huntercombe went to Edinburgh castle as sheriff of Edinburgh and its two constabularies, Linlithgow and Haddington; Dumbarton castle and sheriffdom were given to Sir Alexander Leeds; and Sir Richard Waldegrave was installed at Stirling.[18]

The majority of appointments do not survive in the official record, but a number can certainly be added to the above list from other evidence. Sir Robert Joneby was described as sheriff at Dumfries by August 1296; we can surely presume that the infamous William Heselrig became sheriff of Lanark around this time; Sir William FitzWarin was certainly in residence at Urquhart castle in 1297, as was Sir Reginald Cheyne, senior, a Scotsman, at Inverness and Sir Henry Lathum at Aberdeen.[19]

The most important office after the lieutenant was the wardenship of the land of Galloway and of the county [*comitatum*] of Ayr, awarded to Sir Henry Percy on 8 September, nearly three weeks before Surrey's appointment. The castles of Ayr, Wigtown, Cruggleton and Buittle were also committed to his custody. The first two were straightforward royal castles controlling sheriffdoms; Buittle and Cruggleton[20] were Balliol castles and thus were forfeited by King John, the only Scot to suffer permanent loss of lands after 1296.[21] With Surrey based in the east and Percy in the west, access to and from the border was effectively controlled. This meant, however, that the centre of Scottish government was located in the far south of the country, a very different power-base from the Edinburgh-Stirling-Forfar axis favoured by the thirteenth-century kings of Scots.

On balance the men appointed to office in Scotland (and those who held such positions subsequently) came from a wide range of geographical backgrounds. This stands in stark contrast to the composition of the armies, which tended to be dominated by the northern sheriffdoms who had most to lose in this war. The main criteria for a more permanent position within Scotland were obviously the abilities of the men involved but also, and far more importantly as the war dragged on, their inclination to take up appointment.

There was one other wardenship created in 1296, though its role and significance was rather different from that held by either Surrey or Percy. In order to extend English control into the north-west highlands and islands, and to counteract the influence of the pro-Comyn/Balliol west highland magnate, Alastair MacDougall of Argyll, Edward had initially made use of MacDougall's main rival, Alastair MacDonald of Islay, who had been with the Bruces in Edward's army in March 1296.[22] However, on 10 September 1296, the earl of Menteith, who had been captured in Dunbar castle in April, was appointed as warden of an area of the west stretching from Ross to Rutherglen. As such, he was given authority over the men of important Scots such as James the Steward and Sir John Comyn of Badenoch and Lochaber. It

is not at all clear what exactly prompted this munificence towards Menteith, but it is likely that Edward was looking for someone less completely enmeshed in west highland politics than MacDonald, although the earl had considerable interests in the area himself. The English king may also have been attempting to operate a divide-and-rule policy among the Scottish nobility, although this may also indicate Edward's own need of their support.[23]

Arrangements for the payment of all Edward's officials in Scotland were made between September and November 1296. Surrey was to receive 2000 marks per year; Sir Henry Percy, 1000 marks; Amersham, 200 marks, plus the income from the church of Kinross to which he was presented in September 1296; the three justiciars, 60 marks each. No records survive for the fee to be paid to either Cressingham or the two escheators.[24]

Payments to the keepers of castles, and the constables who were usually in immediate charge,[25] varied considerably, depending on the size of the garrison and whether or not their duties included those of sheriff. Such payment often took the form of a fixed annual fee, or *certum*, agreed with the keeper, for himself and a set number of men-at-arms. Footsoldiers were always paid by the day, as were the various tradesmen and officers required for the day-to-day welfare of the garrison, such as smiths, masons and watchmen, not to mention the chaplains. All annual, as opposed to daily, fees were to be paid in two instalments in the Trinity and Michaelmas terms, supposedly from the issues of Scotland at the Berwick exchequer.[26]

To what extent was the regime imposed on the Scots by Edward I likely to be seen as oppressive, antagonistic and/or overtly alien in composition? With regard to this last element, it is quite true that almost all appointments made in 1296 were of Englishmen, and certainly the key offices exclusively so; this effectively de-politicised the native magnates and indicated an indifference on Edward's part towards Scots law or the peculiarities of Scottish government generally.

Obviously the fact that there was no longer a resident king necessitated changes, but it was perhaps at a local level that the 'alien' nature of the new regime had most impact. The new sheriffs of 1296 no longer had any connection with the areas in which they served, with the exception, for a few months at least, of Sir Reginald Crawford at Ayr and Sir Walter Twynham at Wigtown, as well as the longer-lasting Sir Reginald Cheyne at Inverness.[27] Throughout the kingdom, therefore, the local community was obliged to deal with men who were foreign in every sense – strangers to both county and kingdom and perhaps not even able to speak the local language.[28] It is true that the earl of Menteith was given an important office but, to be honest, the government of the north-west highlands and islands was unlikely to be regarded as part of the mainstream administration; in any case, there is no evidence that he actually took up the job.

Edward may well have regarded the Scottish system as backward and

worthy of contempt but such an attitude, given that he was dealing with a well-established kingdom which had developed an administrative system to suit its own needs, was likely to arouse considerable resentment. Scotland was certainly not as centralised as England but, equally, it was not Ireland or Wales with no prior history of a unified administration. On the one hand, it could be argued that the form of government imposed on Scotland in 1296 was far less of an innovation than in England's other two 'British' acquisitions; there was no need to introduce shires, for example, simply because the native system was much closer to the English model, even if there were significant differences. On the other hand, perhaps those Scots who would normally have been involved in the administration of the kingdom felt that anglicisation had taken place for its own sake, with a corresponding appreciation of the 'Scottishness' of the original system. Moreover, the example of Ireland, which was fairly effectively milked of large sums of money and goods by Edward I,[29] not to mention Wales, so recently and so violently subdued, now stood before the Scots as a fate to which they undoubtedly had once regarded themselves as too superior to succumb.

It took a considerable amount of time for Edward even to consider that the spectacularly easy conquest of Scotland might have given him a rather false picture of the inability of the Scots to challenge his military annexation of the northern kingdom. As an indication of his confidence, the English king embarked on a town-planning programme for Berwick, similar to that practised on Kingston-upon-Hull a few years earlier. Berwick's strategic and commercial importance – based on its peninsular site between the Tweed and the sea – had already made the town the most prosperous in Scotland. Nevertheless, Edward, typically, believed that there was potential for much improvement, including 'the displacement of the Scottish population and the assignment of their homes to English settlers, to attract whom a new constitution was clearly necessary'.[30]

Various representatives from England's major boroughs were summoned to a general parliament held at Bury St. Edmunds from 3 November 1296. London, for example, was to choose 'four wise men of the most knowing and most sufficient to know best how to devise, order and array a new town to the most profit of the king and of the merchants'. Twenty-three other cities and boroughs were each to elect two representatives with similar qualifications.

This first meeting achieved little and another group of advisors was ordered to consult with the king on 2 January 1297. It was only at this point that Edward intimated that Berwick-upon-Tweed was the object of his attention. Tout states that 'the transparent veil of secrecy' was adopted merely for its own sake. However, the English king might also have become aware that his enthusiasm for transforming this Scottish town, so recently the subject of a brutal assault, might not have been shared by any of his subjects. Certainly he now dropped the idea of elected representatives and sent writs to his own nominees, who included Henry le Waleys, 'the sometime joint-planner of

Winchelsea' and mayor of London, and Thomas Alard, warden of Winchelsea.

Yet again, nothing happened, presumably because the frozen north was of little or no interest to these southerners. A third set of summonses called for nominees from certain north-eastern towns to meet at Berwick itself in April 1297. This assembly finally managed to arrange for a number of Englishmen to be resettled there, but little was done to change the actual plan of the town.[31] Issues of far greater urgency were to occupy Edward's mind for the next five years and thus only Berwick's military and defensive needs were attended to during that period.

Contrary to expectations, it soon became very clear that the newly-established administrative mechanisms were not working properly. By May 1297, Sir Henry Percy, warden of Galloway, was already complaining to the king that he hadn't been paid for the Trinity term; the £2000 which Cressingham received from the English exchequer in the following month was almost certainly used primarily to pay overdue wages.[32] Equally, Walter Amersham, the chancellor, appears to have been unable to extract any income from the church of Kinross, granted to him the previous September, judging by the fact that Surrey was ordered to present him to another living 'in Scotland or Galloway' on 3 July 1297.[33] This would strongly suggest that the Scots *en masse* were generally successful in denying their new government the revenues which ordinarily should have sustained it, and that within about nine months of its establishment.

Problems were not restricted to those holding office at a distance from the central administration; even those at Berwick were finding it difficult to establish and maintain their authority. Amersham is described as chancellor for the last time in August 1297. Crisis then completely overwhelmed the Edwardian government and, from then until 1302, he is described only as receiver of royal revenues in Northumberland, an office to which he was appointed on 12 July 1297. This appointment in itself underlines the already overwhelming need to subsidise Scotland's government from south of the border. William Bevercotes, the keeper of the seal, also seems to have become redundant, though he returned as chancellor in 1304, after Amersham's death; the seal appears to have gone into retirement for the same period.[34]

The treasurer's basic function should have been to receive and audit the issues of Scotland, through the exchequer at Berwick, and to use the same to maintain the administration. Credit and debit were thus, in theory, intended to cancel each other out. Initially Cressingham and his officials appear to have been very successful in raising revenue – in June 1297 the considerable sum, by Scottish standards, of £5188 was used to pay a subsidy to the Count of Bar, whom Edward was cultivating as an ally in his imminent war against France. This can't have been the annual total either, since some government expenditure must still have been outstanding.[35] As noted above, and a month

before the Count's subsidy was accounted for in London, the revenues of Scotland started to become uncollectable. It is highly likely that this situation arose directly from Cressingham's success in raising such an unprecedented amount in a few months. He was certainly notorious for his rapaciousness: the English chronicler, Walter of Guisborough, remarked, with just a hint of unusual sympathy for the Scots, that the treasurer 'loved money' '. . . and robbed too much and they [the Scots] did not call him treasurer but treacherer to the king, and they believed this as the truth'.[36]

Initially it was anticipated that the £2000 sent up to cover arrears of wages would be paid back out of the issues of Scotland by 1 August. However, Cressingham soon had to admit to sir Philip Willoughby at the Westminster exchequer that this would not be possible since the king had ordered that all (any) revenues received at Berwick were to be handed over to Surrey, suggesting that the latter's fee was also in arrears.[37] By the end of July, the treasurer was forced to inform the king that the flow of cash to the Berwick exchequer from north of the border had now well and truly dried up:

. . . from the time when I left you, not a penny could be raised in your [realm of Scotland by any means] until my lord the earl of Warenne [Surrey] shall enter your land and compel the people of your country by force and sentences of law.

Cressingham, unlike Amersham, still had plenty to do in his office as the system began to collapse around him, but now he was responsible for the auditing and disbursement of large sums direct from the English exchequer. After his death at Stirling Bridge, his office was not officially refilled and control of Scottish finances was taken over by two receivers, Amersham at Berwick and the other, Richard Abingdon, at Carlisle.

References to the escheators and justiciars also peter out in 1297. William Ormesby, perhaps as a result of his close encounter with William Wallace and Sir William Douglas in June of that year,[38] was transferred to England in August on the king's business. William Mortimer and Henry Rye both came with Edward on campaign in the summer of 1298. Roger Skoter was still in Scotland in July 1297, but there is no further mention of him thereafter. By December 1297 Peter Dunwich had given up his office of escheator and had been sent to Lancashire with William Dacre to choose footsoldiers for the winter expedition planned by the regency government in the aftermath of Stirling Bridge. This was his last appearance in official records before he was released from Scottish prison in April 1299, presumably having been captured during that expedition.[39] These officials had surely not reckoned that being sent to Scotland would be so dangerous.

However, the most illuminating illustration of the instability of the Edwardian administration is Surrey himself. Soon after his appointment in September 1296 there were doubts about his commitment. Walter of Guisborough says, in a most incisive passage, that:

The earl of Warenne, to whom our king committed the care and custody of the kingdom of Scotland, because of the awful weather, said that he could not stay there and keep his health. He stayed in England, but in the northern part and sluggishly pursued the exiling [of the] enemy, which was the root of our later difficulty.[40]

This accusation appears to have been largely true. In June 1297, during the uprising of Bishop Wishart, James the Steward and the earl of Carrick, Surrey wrote to the king, blaming the postponement of his arrival in Scotland on the need for more troops, and promising that the delay would cause no harm.[41] Nevertheless, when news of Wishart *et al*'s capitulation at Irvine was conveyed to Cressingham and his force gathered at Roxburgh, a decision as to whether or not they should move against 'the enemies on the other side of the Scottish sea' (Andrew Murray) or upon Wallace in Selkirk forest had to be put off until the earl's arrival. 'And thus', as Cressingham so eloquently informed his master, 'matters have gone to sleep.'[42]

There can be little doubt that Surrey lacked enthusiasm for his office. On 4 August 1297 a letter was sent to Edward from Berwick, perhaps from Osbert Spaldington, the sheriff there, stating that the earl had offered the lieutenancy to someone else, as the king had ordered. The importance of the need for firm government in the north – and further evidence that Surrey had indeed been remiss in his duties – is illustrated by the writer's advice that the Scots, who, despite Irvine, were still extremely restless, would 'be obedient . . . if the lieutenant frequently oversees that no-one does harm to them or mistreats them'.[43] This also clearly implies – with greater significance since it comes from an English official – that the regime had been unable to enforce the rule of law effectively.

Surrey himself had probably petitioned the king to be relieved of his duties in the north; the writer of the above letter certainly states that the earl, together with Sir Henry Percy, the warden of Galloway, intended to go with the king to Flanders. The fight against France was surely much more to the taste of both these officers. Surrey and Percy were soldiers, doubtless with little inclination for the burden of administration which formed a significant part of their work in Scotland. The extent to which service in the northern kingdom was unpopular among those whom the king sought to appoint there is extremely important to our understanding of the difficulties faced by the Edwardian administration; equally, the regime was far less likely to endear itself to the native population if it was served by men who resented being there.

The person to whom Surrey had, in fact, offered the job of lieutenant was Sir Brian FitzAlan of Bedale, 'an English baron of more reputation than fortune', who had served as joint guardian with the four Scots in 1291–2.[44] Most recently, in July 1297, he had been appointed captain of royal fortifications in Northumberland, with responsibility for overseeing royal

expenditure there. From the government's point of view, he was an eminently suitable choice. FitzAlan was not so sure, however. On 5 August 1297, he wrote to the king asking to decline the offer, or perhaps to squeeze more money from him:

. . . due to insufficient skill and ability to take on such a great thing, unless I had the wherewithal to support it to your honour . . . My resources, however stretched, are too small to sustain the land to your honour (they do not extend to more than £1000) and to keep fifty armed horses. Thus I would not be able to keep the land in peace to your honour when such a nobleman as the earl cannot well keep it in peace from what he received from you. Nor do I know how I could do it with less than he receives.[45]

Sir Brian had clearly understood one of the main difficulties facing those who took up office in Scotland. Though an appropriate income was allocated to each position, it was frequently insufficient to maintain men and equipment in what was fast becoming a war situation; equally, the difficulties in actually making wage payments often meant that retinues had to be sustained for long periods of time from their leaders' own pockets. FitzAlan was being offered £1128 per year, compared with the 2000 marks (£1333 13s.4d.) granted to Surrey, though this reflected the different social status of each man. The contract was to last, initially at least, for six months, to begin when the earl had brought Scotland to a peaceful state, something of an optimistic prospect in itself.[46] In refusing, FitzAlan seems to have had a far more realistic grasp of the situation in the north than Edward, primarily, perhaps, because the king's attention was currently directed firmly towards Flanders.

However, by 18 August the matter was regarded in the south as settled, since on that date the chancellor was ordered to issue letters patent to FitzAlan as lieutenant similar to those previously issued to Surrey. Ten days later custody of Galloway was entrusted to Sir John Hoddleston, presumably because Sir Henry Percy was now on his way to Flanders. On the same date writs were sent out to all sheriffs north of the Trent, ordering them to help 'Brian FitzAlan, keeper of the realm and land of Scotland, whom the king is sending to the parts of Scotland to do justice on the rebels who are wandering about there committing murders and other crimes and to repress their malice'.[47] However, there is no definite evidence that he actually left Northumberland, despite the fact that he authorised the issue of £200 as 'keeper of said kingdom [Scotland]'.[48]

The reality of the situation in the north meant that Surrey was unable either to join the king in Flanders, or, in effect, to relinquish his position as lieutenant. On 12 September 1297, shortly after Edward's arrival on the continent, rumours of continuing and increasing unrest in Scotland had reached the king and he ordered the earl to remain in Scotland until the country was pacified.[49] Such rumours came rather too late: Surrey's army had been routed at Stirling Bridge the previous day.

The increasing inability of the Edwardian administration to fulfill its functions was, of course, primarily a result of the growing threat of rebellion throughout almost the whole of Scotland as 1297 progressed. One of the most revealing pieces of evidence relating to the success of the Scots in challenging the Berwick government comes, yet again, from Hugh Cressingham, who informed Edward on 24 July that:

. . . by far the greater part of your counties of the realm of Scotland are still unprovided with keepers, as well by death, sieges or imprisonment; and some have given up their bailliwicks and others neither will nor dare return; and in some counties the Scots have established and placed bailiffs and ministers so that no county is in its proper order excepting Berwick and Roxburgh, and this only lately.[50]

While the Treasurer may have been exaggerating, in order to shock Edward into taking the threat seriously, it is difficult to see the English presence in Scotland by this point as much more than a military occupation, almost entirely defensive in nature. Equally – and perhaps more importantly – the Scots were already proving able to set up and operate an alternative administrative system, despite the fact that their ostensible leaders had resubmitted to Edward's officers at Irvine a few weeks before Cressingham wrote the above letter.

The first hint of revolt may not perhaps have caused much surprise, nor great consternation, in Berwick since it originated in the north-west highlands, which had proved antipathetic to rule from south of the highland line long before Edward took control of Scotland. Despite the appointment of the earl of Menteith as lieutenant there, Alastair MacDonald was named as Edward's baillie of Lorn and Ross and the Isles, much of which had previously been under MacDougall control, on 9 April 1297.[51] What remains unclear is why Edward had appointed the earl in the first place; perhaps the latter had proved unwilling to serve in the Edwardian government even at the price of this lieutenantship.

MacDonald's appointment may well have been made in anticipation of trouble, since it was certainly not long in coming. Part of the problem lay in the fact that, even though Alastair MacDougall had submitted to Edward and was currently in prison at Berwick, many of the *nobiles* of Argyll, including MacDougall's sons, John and Duncan, together with the MacRuaries of Garmoran, Lachlan and Ruarie, remained unreconciled. Alastair of Islay claimed in a letter to Edward, probably of late April, that these gentlemen had now performed homage but, nevertheless, the MacRuaries were soon on the rampage, killing Edward's officials and seizing their ships, as well as invading royal lands in Skye and Lewis.[52]

The inhabitants of these lands naturally looked to Edward's representative to protect them and MacDonald moved in force against the MacRuaries, who both almost submitted in April. However, Lachlan changed his mind and he

was expected to look for support from the men of his father-in-law, Alastair of Argyll, whose son, Duncan, also commanded a 'rebel' force. Most interestingly, Lochaber, belonging to Sir John Comyn, was also regarded as disaffected. Certainly Comyn's men in Inverlochy castle, which guarded the western entrance to the Great Glen, subsequently refused to co-operate with MacDonald, whose authority, and Edward's with it, was looking increasingly ineffective.[53]

To add to these difficulties, MacDonald was also aware of the renewed disaffection of James the Steward and had seized, on Edward's behalf, the castle and barony of Glasrog (Glassary) which the Steward apparently held.[54] To cap it all, Alastair also claimed that he was prevented from fulfilling his duties by a lack of funding, either from royal issues from the areas supposedly under his control, or directly from England.[55] The government did, at last, make some attempt to control the situation, freeing Alastair MacDougall from Berwick castle on 24 May 1297; he alone could be expected to bring his son, Duncan, to heel, and also, perhaps, to restore a degree of stability to the area. His release was not, however, likely to bring relief to his long-standing enemy, Alastair MacDonald, and, in fact, the lord of Argyll soon joined his sons and MacRuarie relatives in causing devastation of MacDonald lands in particular.[56]

It is usual to dismiss this rebellion as essentially a local civil war; certainly, it represents the resumption of long-standing hostilities among important members of north-west highland society which were far more important to them than the relationship between the kingdoms of Scotland and England – the quarrel between the MacDonalds and the MacDougalls was partly over the disputed lands of Lismore. However, as Alan Young points out, this rebellion can also 'be seen as the response of representatives of the Scottish government'. MacDougall of Argyll, like King John himself, was brother-in-law to John Comyn of Badenoch.[57] Although the latter was still in prison in England, we can also read this revolt as the reaction of a common-interest group which had lost power after 1296 but which was intimately connected with the Comyn-dominated Balliol government.

William Wallace began his brief but remarkable career early in May at the latest. The sheriff of Westmorland was unable to undertake an assessment for the lay twelfth in that county, as he was ordered to do in a writ dated 26 April 1297, because 'all the knights and free tenants are in Cumberland to defend the march between England and Scotland against the coming of the Scots'.[58] Thus, by early May, if not late April, the Scots on the western border were already in revolt.

The rebellion begins traditionally with the murder of the English sheriff of Lanark; Wallace then raised the men of Clydesdale.[59] The fact that those in the northern English counties expected a raid may suggest that they moved south first of all and perhaps conducted a remarkably successful foray which

reached right into Dumfriesshire. A letter from the king dated 13 June certainly thanked Sir Donald MacCan, Gillemichael MacGeche, Maurice Stubhille and others in the company of Sir Thomas Staunford 'for their late ready and willing service in repelling disturbers of the peace and recapturing for the king castles which had been taken by those in those parts'.[60] MacCan, MacGeche and Stubhille were all men of Dumfriesshire, while Staunford was one of Sir Henry Percy's retinue.[61] Although it is tempting to suggest that the reduction of castles was more likely to have been achieved by the 'aristocratic' rebellion of Robert Wishart, bishop of Glasgow, the Steward and the earl of Carrick, that rebellion was probably not launched until at least the end of May and thus there was not time for Dumfriesshire to have been lost and won by the time the king heard about it around 13 June.

Wallace, now joined by Sir William Douglas, moved north to Scone, where the justiciar, William Ormesby, was holding a court. Ormesby may have been the object of particular odium, and hence the target of this attack, because, according to Guisborough, he '. . . prosecuted all those who did not wish to swear fealty to the king of England without making distinction of person'. Though the justiciar escaped, word was getting around: Guisborough goes on to state that Wallace received certain messengers at Perth who arrived 'in great haste on behalf of certain magnates of the kingdom of Scotland'. These were almost certainly sent by the Steward, the bishop of Glasgow, and the earl of Carrick, which argues strongly for collusion between Wallace's activities and the rebellion planned by these nobles. It should be remembered that the Wallace family's lands were held of the Steward.[62]

The reason for the noble rebellion, according to the surrender negotiations, was the fear of military service overseas on the part of 'the middling folk' of Scotland. Fifty-seven Scottish nobles were certainly summoned to serve in Flanders on 24 May;[63] in addition, any Scot still imprisoned in England after Dunbar could go with Edward in return for his freedom. It was presumably also anticipated north of the border that the kind of conscription of footsoldiers which went on in each English county with the approach of a campaign (and also, on occasions, in Ireland and Wales) would also happen in Scotland, though there is no evidence that this was Edward's intention in 1297. In reality, very few Scots actually went overseas and all who did travelled straight from English prisons.

It is not clear exactly when Wishart, the Steward and the young earl came out in open rebellion, though their actions probably reflected the demands for military service at the end of May; certainly Wallace's revolt appears to have been already well underway. Staunford and his company's 'ready and willing service', which may have pushed Wallace north a month previously, certainly did not signify the end of rebellion in the west. On 24 June, and this time presumably as a reaction to the activities of Wishart *et al*, Sir Henry Percy and Sir Robert Clifford were given powers to 'arrest, imprison and otherwise do

justice on persons making meetings, conventicles and conspiracies against the king's peace in divers parts of Scotland'. Dumfries and Nithsdale were mentioned specifically, as well as the north-western English counties; the danger was sufficient for the people of Cumberland and Westmorland to make a 'voluntary' offer of service on an expedition against the Scots, although they required reassurance that this would not be used as a precedent in the future.[64]

Clifford and Percy forced the Scots back and entered into negotiations with their leaders soon thereafter; the rebellion came to an end at Irvine on 7 July 1297. However, according to Guisborough, who had already noted collaboration at Perth, these Scottish nobles, who demanded a return to the ancient laws and customs of their land, 'took so long in discussing the concessions with frivolous points, so that Wallace could gather more people to him'.[65] The ignominy of Dunbar was still too fresh in the minds of the Scottish nobility to risk an engagement with an English force and the capitulation at Irvine was doubtless regarded as the only sensible option at the time. However, their actions, deliberately or otherwise, certainly permitted Wallace and his men to make their way to Selkirk Forest in the more strongly English-held south-east, reputedly reducing several castles on the way.[66]

The murder of a sheriff, followed by the attack on Ormesby, together with the rhetoric used during the 'aristocratic' revolt, strongly suggests that there was a fierce revulsion throughout Scotland against the experience of intensive Edwardian government. It should be noted that this year witnessed the peak of opposition to Edward I's regime in England itself; as well as provoking a reaction to demands for military service overseas, preparations for the war with France had unleashed all manner of deeply resented forms of taxation, including the compulsory seizure and sale of wool. Scotland was not exempted from such treatment: both Sweetheart and Melrose abbeys later petitioned Edward for compensation for eight and a half and fourteen sacks of wool respectively, seized in 1297.[67] The Scots, quite unused to this level of governmental demand, were bound to view it as highly oppressive, compounded by the fact that the regime itself was presumably regarded as foreign and illegal.

The southern rebellions, perhaps partly because they took place in that part of Scotland which caused greatest concern to the English government, tend to receive the most attention. However, in terms of achievement, the most significant rebellion was arguably that of the young Andrew Murray in the north-east. It appears to have begun in late May, around the same time as the aristocratic one in the south-west. The first objective of Murray's force, which included the enigmatic Alexander Pilche and other burgesses of Inverness, was the castle of Urquhart, guarding the eastern end of the Great Glen. Urquhart belonged to William Soules, nephew of John Comyn, earl of Buchan, but, because he was a minor, the castle had been granted by Edward I to Sir William FitzWarin in 1296.[68] It is important to note that Murray was

himself a nephew of Comyn of Badenoch and these family ties, together with the disaffection of the latter's men at Inverlochy at the other end of the Great Glen, provide a potential connection both between the two northern rebellions, and with the former government of Scotland.[69]

Having survived the first attack, Urquhart was nevertheless extremely vulnerable. On 11 June, a group of Scottish nobles, which included Sir John Comyn of Badenoch and the earl of Buchan, were granted safe-conducts to return home. Buchan was to join Henry Cheyne, bishop of Aberdeen, and Gartnait, son of the earl of Mar, who were already in the north, in going to FitzWarin's aid.[70] Guisborough, with the benefit of hindsight, was very scathing about Buchan's efforts, claiming that he '. . . at first pretended to repress certain bold people, but in the end turned perversely from us'. Certainly Buchan's excuse that Murray and his army '. . . took themselves into a very great stronghold of bog and wood, where no horseman could be of service . . .' sounds rather lame coming from a man whose family had gained an earldom by subduing the men of Moray only a few generations earlier. Cressingham, who seems to have had a nose for these things, certainly didn't believe it.[71]

With no effective support coming from the south, the fall of Urquhart and the surrounding castles, including Inverness, was really only a matter of time. FitzWarin certainly survived intact, since he fought in the English army at Stirling Bridge and had the misfortune of joining the Stirling garrison on the same day.[72] However, Sir Reginald Cheyne, the sheriff of Inverness, later claimed that he had been '. . . thrice burned and destroyed and thrice imprisoned for his faith of his liege lord the King of England'.[73] It would seem likely that one of those occasions was late in 1297.

Aberdeen also went over to the 'rebel' side during the summer of 1297, although the exact motivation of its sheriff, the Englishman, Sir Henry Lathum, whom Surrey accused of 'making a great lord of himself' there, is hard to determine.[74] It thus seems likely that, by the time they joined Wallace at Dundee about August, Andrew Murray and his men had effectively recovered control of the north-east of Scotland and re-established some form of a Scottish administration over it including sheriffs.[75]

Edward either could not, or would not, believe that the Scots posed a sufficient threat to postpone or cancel his departure abroad. While this is understandable, given that Scotland was not as important to him as Gascony, his presence in the north would surely have provided a different outcome to the year's events. Nevertheless, he certainly recognised a degree of danger and ordered measures to be taken to provide for the safety of the border. On 12 July – news of Irvine presumably not yet having reached the south – Sir Ralph FitzWilliam and Sir Brian FitzAlan were appointed captains of fortifications in Northumberland and Sir Robert Clifford, currently returning from Irvine, in Cumberland.[76]

In the meantime Cressingham, at least, was taking things very seriously, going personally to Northumberland to raise troops. The muster organised for 17 July at Roxburgh produced, according to the treasurer's own letter to the king, a considerable force of three hundred covered horse and ten thousand foot but its northerly progress was forestalled by the arrival at Berwick of Sir Henry Percy and Sir Robert Clifford on the same evening. Their good news from Irvine, together with the assurance of hostages to be taken from key members of the revolt, convinced the Scottish government – with the exception of Cressingham – that 'their enemies of Scotland were dispersed and frightened from their foolish enterprise'. In any case, they now had to wait for Surrey.[77]

Cressingham was right, of course: the situation was about to get much worse. Wallace had left the security of Selkirk Forest and was busy besieging Dundee castle when he heard word that the Treasurer had brought in a fresh army from England. Reputedly ordering the burgesses to 'kepe that castell rycht stratly', he and his men set off south again.[78] Murray was also on his way and the two forces probably met up in August, perhaps at Perth, the most obvious crossing-point of routes from Inverness and Dundee. Surrey had also finally arrived in Scotland and was firmly told on 7 September, some two weeks after Edward's departure for Flanders, to stay there to deal with the continuing unrest. However, a mere week later he was recalled to London as civil war threatened to engulf England, led by the earls who had refused to go to Flanders.[79] This was the biggest crisis of Edward Longshank's reign and he wasn't there to deal with it.

However, Surrey, for once, was bent on action and had already gone to meet the Scots. His army, which presumably comprised those he had brought north himself, those raised by Cressingham in mid-July, and those brought back to Berwick by Clifford and Percy from Irvine, was certainly not the one thousand cavalry and fifty thousand foot claimed by Guisborough. However, it may well have been a respectable force of perhaps one-fifth of that size. A similar reduction would give Murray and Wallace thirty-six horse and eight thousand foot.[80] Presumably most of the cavalry on the Scottish side came with Murray, the nobleman.

The two armies met at Stirling, where both required to cross the Forth. The Scots took position on the high ground to the north, while the English, controlling the castle and burgh, remained on the south bank. Negotiations, apparently conducted for the English by James the Steward and the earl of Lennox, brought nothing more than the determined avowal of the 'rebels' to fight for the liberty of their country. Cressingham, presumably driven to distraction by Surrey's late rising the next morning, 11 September, finally urged an immediate advance over the narrow bridge in preference to using the less suicidal ford upstream. He died a brutal death at the head of the army, the true leader of the Edwardian administration; Surrey, at the back, was able to flee.[81]

The news of the massacre had reached London by 26 September. The only fortunate outcome for the English government was that the ensuing crisis finally united the discontented English nobility behind it. Writs were immediately directed to the sheriff of York, fifteen northern lords and thirteen Scottish magnates, including Comyn of Badenoch and the earls of Dunbar, Angus, Strathearn, Menteith, Lennox, Buchan and Sutherland (but, interestingly, not Carrick whose loyalty to Edward must thus have been still in question). Sir Brian FitzAlan, effectively still keeper of the Northumberland fortresses, would lead this force against the 'rebels'; Surrey, on the other hand, was ordered to London to give a personal account of events.[82]

In the immediate aftermath of Stirling Bridge, with Cressingham dead and Surrey discredited, the most important members of what was left of the English administration were Master Richard Abingdon, the receiver of Cumberland, based at Carlisle, and Master Walter Amersham, receiver of Northumberland and erstwhile chancellor, still at Berwick. They had been appointed to replace a single receiver, Robert Beaufey, on 12 July 1297, the need for two attesting to the increased flow of resources from England to Scotland by that date. Each was assigned a keeper of the counter-roll (comptroller) to work with him – Master Robert Heron, who had also been keeper of the new customs at Berwick since 1296, was to work with Amersham, and Robert Barton with Abingdon.[83] For some reason, perhaps associated with the turmoil of the summer months, Abingdon and Amersham do not actually seem to have taken up their offices until November.[84] We should not underestimate their role, however, since their rise to prominence is one of the most fundamental indications of the state of the English administration of Scotland.

The Scots were naturally eager to re-establish control over castles manned by English garrisons. They had some temporary success in the south-east over the winter of 1297/8 and more permanent success in parts of the south-west. In addition, Scotland north of the Forth was pretty much cleared of all English officials and remained under the authority of the Scottish government from then until 1303. Wallace, with Murray until his death shortly after Stirling Bridge, now operated as the representative of King John and 'the Community of the Realm of Scotland', rather than as an unknown member of the lesser nobility with a dodgy reputation; he thus had far greater resources at his disposal and a slightly different agenda to perform.

According to one of the charges laid against Wallace at his trial, he had been audacious enough to issue writs in the name of King John, which carried sovereign authority. This included the letter written by both Murray and Wallace on 11 October 1297 to the mayors and communes of Lübeck and Hamburg, re-establishing trading links between these ports and the newly liberated kingdom of Scotland.[85] The confidence exhibited by Wallace, and the inference that an administrative structure, including the re-institution of a

chancery to issue these writs, had been revived by him shortly after Stirling Bridge, attests to his success; doubtless he was ably advised on administrative matters by men such as Bishop Wishart of Glasgow and, soon, William Lamberton, bishop of St. Andrews, implying that Wallace could take advice as well as issue orders.

Militarily, the guardian[86] extended his repertoire, rather than adopting fundamentally new tactics. Roxburgh and Berwick castles were besieged and survived only through the intervention of an English army in February 1298; Jedburgh was successfully reduced and a Scottish garrison installed under John Pencaitland; Stirling castle, 'the gateway to the north', despite a last-minute rescue by Sir William FitzWarin, Sir Marmaduke Tweng and Sir William Ros after Stirling Bridge, succumbed not long after; and there is firm evidence of Scottish control of Dumbarton.[87] Given the lack of references to English garrisons in the west, and Edward's activities after the battle of Falkirk in 1298, it would seem likely that the Scots secured control of southern Scotland west of Edinburgh in the aftermath of Stirling Bridge. The English garrisons in the south-east were clearly none too secure either.

The Scots did not confine their activities to home, however. On 11 December 1297, Sir Robert Clifford, captain of the Carlisle garrison, in collaboration with other knights of the area, and the bishop of Carlisle, keeper of the castle, made arrangements to strengthen the town's defences. According to Guisborough, Wallace and his men had already attacked the town, but clearly it was believed that he, or others, would be back; Newcastle had been similarly subjected to Scottish attentions and thus the entire border needed to defend itself.[88] The actual numbers subsequently staying at Carlisle did not quite reach the stipulated figure of thirty covered horses and one hundred footsoldiers; this may reflect the fact that those in charge of the defence of the northern counties had to be very careful, when dividing their manpower between the garrisons and expeditionary forces against the Scots, that neither was left short and thus vulnerable to attack. This was a problem faced by the English garrisons within Scotland also.

One expedition against the Scots left at Christmas for Annandale, led by Clifford himself. A force totalling 460 footsoldiers under five constables – presumably raised specially – as well as Clifford's own retinue of seven knights and sixteen esquires, was thus withdrawn from the defence of the Carlisle area. When it returned a couple of weeks later, a group of one hundred footsoldiers was left north of the Solway 'as they believed the Scots were coming'.[89] Those living immediately south of the border doubtless came to the conclusion during those months that William Wallace could give Edward I a lesson or two in oppression; the vitriol reserved for the Scottish leader by the Lanercost chronicler, particularly, indicates that xenophobia was not restricted to the Scots. Equally, as Lanercost again makes clear, those in the north of England also considered that their government paid far too little attention to protecting them from Scottish attacks.[90]

So far as the regency government in London was concerned, Stirling Bridge – disaster that it undoubtedly was – did wonders to halt the drift towards civil war as England united in outrage and consternation at this unthinkable defeat. Prince Edward and his advisers, not to mention Surrey himself, were also no doubt keen to undo some of the damage inflicted on the English in Scotland before the king's return.

Their first reaction was to set about organising a winter campaign which it was initially intended would be led by the prince himself but ended up, unimaginatively, under Surrey. Writs for service on the expedition were issued on 26 October 1297 for the muster at Newcastle on 6 December. The numbers summoned, which totalled nearly thirty thousand, bore little relation to the numbers which actually arrived; equally, although twenty thousand of the total were supposed to be raised from the northern counties, Wales provided the greatest proportion of men (5157) in reality. The North Wales contingent actually missed fulfilling its quota of 2000 by only 61 men, a high turnout for any winter campaign.[91] Doubtless, and quite naturally, the men of the northern counties preferred to stay and defend their families and property from Scottish attack.

By 24 December a dilatory twenty constables and nineteen hundred men had arrived at Newcastle from various counties in England. A note attached to the wages account for the period 18 December to 31 January made to Sir Ralph FitzWilliam, captain of the Newcastle garrison and temporarily also commander of this paltry army, states that they were – typically – waiting for Surrey.[92]

Since so few English magnates had accompanied Edward to Flanders, this at least meant that they were available for the campaign against the Scots. Five hundred horsemen, divided into six groups, ranging in size from thirty to one hundred and thirty, and to be led by the earls of Surrey, Norfolk, Gloucester, Hereford, Warwick and Sir Henry Percy, were paid for by the £7691 16s.8d. contributed primarily by the archbishop and clergy of Canterbury.[93]

The activities of the receivers, Sir Walter Amersham at Berwick and Sir Richard Abingdon at Carlisle, underpinned this whole exercise since the collection and distribution of hard cash for wages was crucial to the maintenance of the army over this difficult winter period. Nevertheless, by late March, Surrey and Percy, the two most heavily involved in Scottish affairs, had again not been properly paid and money was desperately sought from the clerical tenth in the bishopric of Lincoln.[94]

The archbishop of York and his clergy also contributed to the war effort with a grant of a fifteenth of clerical property, as would be expected given their proximity to the border, in November 1297. This was to be used '. . . when necessary for the defence of the kingdom against our enemies and for the sustenance of Brian FitzAlan, captain of our garrisons of Northumberland and the same garrisons against the Scots rebels'. Wallace's attacks on the

border counties were indeed hitting the English where it hurt most – their pockets.[95]

By 12 February 1298 the English army had reached Roxburgh, forcing the Scots to abandon their siege and moving on to a similar mission to Berwick only three days later.[96] The town, captured by the Scots a few months previously, was duly restored to English control, rendering the castle less of an English oasis in a Scottish desert. The army reached its maximum size, some sixteen thousand men, while at Berwick, but by mid-March the numbers had dropped dramatically to just over three thousand. This was the result of the arrival of fresh orders from the king ordering Surrey to postpone the campaign until Edward returned from Flanders to lead the army personally. Such a decision is hardly surprising: campaigning during the winter season was unlikely to be either popular or successful, victuals were low and Surrey's qualities of leadership were by now distinctly questionable.[97]

Edward had also been humiliated on the continent. The carefully constructed network of alliances which included the emperor-elect, Adolf of Nassau, the duke of Brabant and the counts of Bar and Savoy, at a cost of one million pounds, rapidly disintegrated. His own army, largely as a result of the domestic discontent with taxation which had come to a head in 1297, was far too small. Even worse, he had arrived in Flanders in August to find that the French were already well on their way to winning the war. The Flemish towns, who often did not see eye-to-eye with their count, proved troublesome and Count Guy of Flanders himself found his English ally of far less use than the latter's earlier promises had suggested. All rested on the appearance of Adolf of Nassau and when that failed to happen, Philip of France had certainly won the day. By October 1297, when Edward had surely also heard of Surrey's defeat at Stirling, negotiations had begun, culminating in the truce of Vyre-Saint-Baron on 9 October. However, the English king was not now free of his continental obligations – that could only happen when at least some of his allies had been paid, which took until March 1298. 1297 had certainly not been a good year for Edward I.[98]

Given that most, if not all, of the victuals required both by what was left of the English administration in Scotland and the troops on campaign had to come from either England or Ireland, the acquisition of sufficient provisions for men and horses obviously played a vital role in the success or failure of the English in Scotland.

On 26 October 1297 various towns, including York and Newcastle, were ordered to issue proclamations stating that those with victuals for sale for the forthcoming expedition should have them carried by land or sea for purchase at Holy Island or Newcastle. With an eye to the current and vociferous grievances concerning prise – the compulsory seizure of goods for royal activities for less than their market value – prompt payment was promised. On 5 November 1297 further purveyance was ordered in Lincolnshire, Yorkshire,

Cambridge and Huntingdon, and Nottingham.[99]

The accounts for the purchase and collection of supplies in this regnal year[100] are incomplete but the evidence strongly suggests that most of the purveyance came from Yorkshire; as a county greatly affected by events in Scotland, but perhaps not as subject to the full impact of Wallace's devastating raids as those counties immediately south of the border, this makes sense. As with the muster itself, however, the purveyance did not occur on time and by early December William Fraunk of Grimsby was appointed to hurry the proceedings up. The provisions from Yorkshire did not, in fact, reach the store at Berwick from Hull until 1 March, implying that the army, which was in Scotland by mid-February, faced a dearth of supplies for at least two weeks.[101]

Not surprisingly, the accounts of the two receivers, Abingdon and Amersham, for this regnal year deal almost exclusively with the winter/ spring campaign led by Surrey, and the defence of the border. Abingdon's account is not very large, involving a total of just £900. His sources of revenue were those sums collected from the lay ninth levied in Cumberland, Lancashire and Westmorland. His greatest expense in this year was the wages for the garrison at Carlisle, which totalled about £400.[102]

Amersham, by contrast, was responsible for over ten times the amount of money which passed through the hands of his colleague in the west. The main sources of his income were again the various taxes – the clerical fifth and the lay ninth – granted to the king in response to the threat to the kingdom, primarily from Yorkshire, but also from Northumberland, Staffordshire, Derbyshire and Warwickshire. On this occasion he also received the impressive sum of £252 from the customs at Berwick, suggesting that trade had by no means completely dried up in this difficult year, and, in contrast, the pathetic figure of £17 from the rest of its issues.[103] It is clear, therefore, that almost all the king's revenue in the north of England was required either for the defence of these areas or to support operations within Scotland itself.

The major problem for those accounting for Scotland was simply that of raising any revenue to set against the large sums of money sent north. Certainly, the Crown, having acquired supplies effectively at cost price, could recoup some of its expenditure by hiking up the price on these same goods even when selling to other government departments. In the summer of 1298, for example, one quarter of wheat cost around 2s. 4d. when purchased by the Crown; it was then sold on to Amersham at Berwick for a staggering 15s. per quarter, presumably in order to compensate for transport costs.[104]

In reality, however, since wages were so often in arrears, credit had to be allowed for the purchase of supplies by those on active service and such credit was not always easily redeemed. In addition, the *certums* and wages paid to Scottish garrison commanders effectively had to be written off by the English exchequer, except for amounts deducted for victuals, since it was still impossible to collect any of the issues of the areas nominally under their

jurisdiction. It must have been painfully obvious that England was now saddled with an expensive project which was showing no immediate signs of even partially paying for itself. Certainly Amersham's account already showed a deficit of £108 16s. 8d. This sum was eventually deducted from his fee as chancellor in 1303.[105] The attractions of royal service are sometimes to be wondered at.

The collapse of the Edwardian administration in 1297 was almost as swift and unexpected as the conquest itself had been. However, Edward had been unwise to assume that the capitulation of the Scottish government after the humiliating defeat at Dunbar would be the end of the story; equally, he exhibited a considerable lack of foresight in assuming that the draconian financial measures which he instituted throughout his domains in preparation for the war with France would be construed in the northern kingdom as anything other than the oppressiveness of an illegal regime. It was but a short step to transform that general feeling of resentment into patriotic fervour. The very effectiveness of Cressingham and Ormesby, in particular, in implementing Edward's demands, together with the lack of commitment to maintaining an impartial and effective judicial system which might benefit the Scots, meant that the new regime had done very little by the spring of 1297 to make itself at all attractive to any section of the Scottish population.

It was also clear that weaknesses already existed within the administration which, once pressure was applied, began to look very serious indeed. Its top lay officials clearly did not relish serving in the north and it cannot be doubted that Surrey's reluctance, in particular, to take firm action throughout Scotland allowed the situation to degenerate rapidly. The decision to release from prison those Scots, like Alastair of Argyll and Comyn of Badenoch, who might prove more effective in restoring order was made only once it was clear that the actions of Edwardian officials had generally failed to do so; this can only have underlined to these Scottish nobles how important they were to the government of their country, with a corresponding increase in their desire to occupy their pre-conquest positions of authority. They might have accepted such positions from Edward, but the latter had neither the time nor the inclination to bother about Scottish sensibilities over the summer of 1297.

The Scottish nobility were not ready to come out in open revolt yet, but once Andrew Murray and William Wallace had shown what could be achieved when less orthodox military tactics were employed, the rising tide of Scottish success, particularly after Stirling Bridge, began to look convincing. Of course, that was not the end of the story either. Edward I would return and, with his full attention and England's considerable resources turned towards the Scots, he promised to be a quite different proposition in the field to Cressingham and Surrey. Both sides therefore had their strengths and weaknesses.

The success or failure of English activities in Scotland now fundamentally

depended on the effectiveness of Amersham, Abingdon and their subordinates. There is no doubt that their task was a difficult and thankless one, with resources and credit, not to mention their royal master's patience, often stretched to the limit. The financial threat to any military strategy employed in Scotland was no idle one either: for example, by mid-February 1298 the earls and barons on campaign informed Surrey that they could not remain in the north any longer unless the footsoldiers were paid their wages, without which they could not, of course, buy food. The royal clerks immediately sought to avert the crisis by buying 1000 marks-worth of victuals and other merchandise from English merchants. Although they succeeded, they soon found themselves being sued by the merchants for payment for these goods. It was essential that such men were paid, in order to encourage them to sell to future campaigns, and they soon got their money;[106] however, the incident illustrates just how stressed the whole system could easily become. The battle for Scotland had only now begun.

NOTES

1 *Scalachronica*, p. 17.
2 Though the Comyns do not seem to have participated in the battle at Dunbar, the earl of Buchan had certainly been one of the leaders of the Scottish army in the north of England and they were still undoubtedly directing events: see A. Young, *Robert the Bruce's Rivals: The Comyns, 1212–1314* (East Linton, 1997), p. 257.
3 *CDS*, iv, p. 448; *CDS*, ii, p. 177; *CDS*, ii, no. 1326; E101/364/13; *CDS*, ii, no. 1403.
4 *Guisborough*, p. 284; Stevenson, *Documents*, ii, pp. 31–2; Barrow, *Bruce*, p. 75. See Duncan, 'The Process of Norham', *passim* and F. Watson, 'Settling the Stalemate: Edward I's peace in Scotland, 1303–5', *passim*, for discussions of the efforts made to bestow legality on Edward's activities vis-à-vis Scotland before 1296.
5 One mark (merk in Scotland) was equal to three-quarters of a pound.
6 *Feodera*, i, p. 731; *CDS.*, ii, no. 928; *CPR*, *1292–1301*, p. 205.
7 *Rot. Scot.*, i, p. 35.
8 *CDS*, ii, no. 496; *Rot. Scot.*, i, p. 35.
9 The revenues brought in for the use of the seal on, for example, grants of charters.
10 *CDS*, ii, no. 853; Bateson, 'The Scottish King's Household', in *Miscellany*, ii (SHS, 1904) p. 38; *CPR, 1292–1301*, p. 148.
11 *CDS*, ii, no. 835; no. 876.
12 Bateson, 'The Scottish King's Household', pp. 18–19; *Rot. Scot.*, i, p. 37.
13 The office of justiciar was revived in England in 1258, at the instigation of the Montfortians, after a lapse of twenty-four years. However, this was not a permanent revival and the main judicial officers under Edward I were the

justices: Prestwich, *Edward I*, pp. 25; 289–92.

14 *CDS*, ii, no. 853; *Rot. Scot.*, i, p. 27, 30; Bateson, 'The Scottish King's Household', p. 42.

15 See F. Watson, 'The expression of power in a medieval kingdom: thirteenth-century Scottish castles' (forthcoming).

16 Two of King John's creations of 1293, Skye and Lorne, disappeared; Rutherglen seems to have taken on shrieval status independent of Lanark, although there is only one piece of evidence for this arrangement, suggesting that it was short-lived: *Rot. Scot.*, i, pp. 24–28.

17 *Ibid.*, p. 23.

18 *CDS*, ii, p. 264; *Rot. Scot.*, i, p. 36.

19 *CDS*, ii, no. 824 (4); Barrow, *Bruce*, p. 83; *Rot. Scot.*, i, pp. 41, 42.

20 Cruggleton had been inherited, after the death of Roger de Quincy, earl of Winchester, by the Comyns of Buchan. However, John Comyn of Buchan subsequently resigned some of his lands in Galloway to King John in return for others in the north-east; Cruggleton almost certainly formed part of this package and thus escheated to King Edward along with the rest of Balliol's lands: *SP*, ii, pp. 254–5; Stevenson, *Documents*, i, p. 329; R.C. Reid, 'Cruggleton Castle', *TDGAS*, xxxi (1962) pp. 153–4; *CDS*, ii, no. 1541.

21 *Rot. Scot.*, i, p. 31.

22 *Ibid.*, p. 22.

23 *Ibid.*, pp. 31–2. See R A MacDonald, *The Kingdom of the Isles*, (East Linton, 1997), pp. 107, 113, 143 for the Stewart earls of Menteith's interests in the north-west.

24 *Rot. Scot.*, i, p. 36; *CPR*, *1292–1301*, p. 198.

25 Some were described indiscriminately as both keepers and constables, though this usually applied to royal castles, whose keeper was ultimately the king. In private castles, the keeper – the owner – was often non-resident and a constable was therefore required to lead the garrison.

26 *Rot. Scot.*, i, pp. 34, 36, 37. The Trinity and Michaelmas terms are the eighth Sunday after Easter to 8 July and 6 October to 25 November respectively. It is interesting to note that these are the English names for these terms. The Scottish equivalents are Whitsun and Martinmas.

27 *Ibid.*, p. 23; *CDS*, ii, no. 824 (1), (6). Sir Reginald was perhaps a member of the Bruce contingent which defected to the English side in March 1296 and the office of sheriff of Ayr was thus his reward: see Barrow, *Bruce*, p. 146 and *Rot. Scot.*, i, p. 23, for Crawford's association with the Bruces. Twynham is less easy to place. He was named as co-heir to Helewisa Levintone, wife of Eustace Balliol, who was probably King John's uncle (*CDS*, ii, no. 35; *CDS*, i, nos. 1098, 2665); however, it is highly unlikely that a 'Balliol man' was given office in a sheriffdom which had formed part of King John's demesne lands.

28 The extent of Gaelic-speaking among the Scottish élites cannot be ascertained. It seems highly likely, however, that men such as the earl of

Carrick, whose mother came from an ancient Celtic family, and James the Steward, who moved in Gaelic-speaking circles, were able to communicate in that language. We can presume, however, that the Edwardian sheriffs generally could not.

29 Prestwich, *Edward I*, pp. 553–4.

30 T.F. Tout, 'Medieval Town-planning', in *The Collected Papers of Thomas Frederick Tout* (Manchester, 1934), iii, pp. 79–80, 84–5.

31 *Parl. Writs*, i, pp. 49–50; Tout, 'Medieval Town-planning', iii, pp. 85–6.

32 *Rot. Scot.*, i, 4; Prestwich, *Documents*, p. 100.

33 Stevenson, *Documents*, ii, pp. 195–6, 227.

34 Stevenson, *Documents*, ii, p. 227; *CDS*, iv, p. 464; p. 484.

35 Prestwich, *Documents*, 23. In 1264 the chamberlain's account brought in approximately £5500 as the entire Scottish royal revenue for that year: Duncan, *Scotland: The Making of the Kingdom*, p. 599. Bar is in modern-day Lorraine, on France's eastern border during this period.

36 *Guisborough*, pp. 294, 303.

37 Prestwich, *Documents*, p. 104.

38 A. Fisher, *William Wallace* (Edinburgh, 1986), p. 40.

39 *Rot. Scot.*, i, p. 42; Stevenson, *Documents*, ii, pp. 222, 226; *CCR, 1296–1301*, p. 42; Gough, *Scotland in 1298*, p. 55; Stevenson, *Documents*, ii, pp. 369–70.

40 *Guisborough*, p. 294.

41 Stevenson, *Documents*, ii, pp. 183–4.

42 *Ibid*., pp. 200–3.

43 *Ibid*., pp. 221–2.

44 Barrow, *Bruce*, p. 35; *CDS*, ii, no. 499; Stevenson, *Documents*, ii, pp. 194–5.

45 *Ibid*., pp. 222–4.

46 *Ibid*., pp. 225–6.

47 *CDS*, ii, no. 941; *Foedera*, i, p. 793; *CPR, 1292–1301*, pp. 306–7.

48 *CDS*, v, no. 1168; E159/71, m.102.

49 *CDS*, ii, no. 945.

50 Stevenson, *Documents*, ii, pp. 206–7.

51 *Rot. Scot.*, p. 40; A.A.M. Duncan and A.L. Brown, 'Argyll and the Isles in the earlier Middle Ages', *PSAS*, xc (1956–7), pp. 216–7.

52 Stevenson, *Documents*, ii, pp. 187–8; *CDS*, ii, p. 195; *Rot. Scot.*, i, pp. 31, 40; Stevenson, *Documents*, ii, p. 190. Despite the fact that the two letters from Alastair of Islay to Edward I have been putatively placed by Stevenson in June 1297, the only date mentioned in either was the reference to Alastair's army going to the Isles after Palm Sunday (7 April 1297). This proves that the rebellion was underway long before Alastair of Argyll was released. The first letter was thus probably written earlier than the second, which indicates that though the latter was not initially involved, he quickly joined the rebellion.

53 *Rot. Scot.*, i, p. 40.
54 It is not clear why he held Glassary, which lies within the sheriffdom of Lorne once held by Alastair of Argyll: *APS*, i, p. 447. Perhaps the action taken by MacDonald against MacDougall led the Steward to assume that office, as well as trying to hold on to his own office of sheriff of Kintyre.
55 Stevenson, *Documents*, ii, pp. 189–90.
56 *Rot. Scot.*, i, p. 40; Stevenson, *Documents*, ii, p. 187. Cf. MacDonald, *The Kingdom of the Isles*, pp. 163–7.
57 MacDonald, *The Kingdom of the Isles*, p. 167; Young, *Robert the Bruce's Rivals: The Comyns*, pp. 72, 85; 165 Barrow, *Bruce*, p. 56.
58 Prestwich, *Documents*, p. 73.
59 *Wyntoun*, ii, p. 342; *CDS*, ii, no. 1597; *Hary's Wallace*, i, pp. 34, 39.
60 *CDS.*, ii, no. 894.
61 *Ibid.*, pp. 198, 210.
62 *Guisborough*, pp. 294, 295–6; Stevenson, *Documents*, ii, p. 192; Barrow, *Bruce*, pp. 81–2.
63 Stevenson, *Documents*, ii, p. 198; *Parl. Writs.*, i, pp. 294–5.
64 *CPR, 1292–1301*, p. 251; *CDS*, ii, p. 235.
65 *Guisborough*, p. 299.
66 *Ibid.*, p. 294.
67 *Rot. Scot.*, i, p. 40; see Prestwich, *Edward I*, pp. 414–435, for a full account of English opposition to Edward I in 1297; *Memo. de Parl.*, nos. 280, 302.
68 See F. Watson, 'Edward I in Scotland, 1296–1305', unpublished Ph.D. thesis (Glasgow, 1991), p. 245.
69 A Young, *Robert the Bruce's Rivals: The Comyns*, pp. 163–5.
70 Stevenson, *Documents*, ii, pp. 175, 210.
71 *Guisborough*, p. 297; Stevenson, *Documents*, ii, pp. 212, 227.
72 *CDS*, ii, p. xxx; *CDS*, iv, no. 1835.
73 *CDS*, ii, no. 1737.
74 Stevenson, *Documents*, ii, pp. 217–8.
75 See Barrow, *Bruce*, p. 86.
76 Stevenson, *Documents*, ii, pp. 195–6.
77 *Ibid.*, pp. 201–2; 218; *CCR, 1296–1302*, p. 67; *CDS*, ii, nos. 1054–5; Stevenson, *Documents*, p. 221.
78 *Wyntoun*, ii, pp. 343–4.
79 *CCR, 1296–1302*, p. 63.
80 *Guisborough*, p. 301.
81 *Ibid.*, p. 300; *Lanercost*, pp. 190–1;
82 *Rot. Scot.*, i, pp. 49–50; *CCR, 1296–1302*, p. 132.
83 Stevenson, *Documents*, pp. 102, 195–6.
84 E159/71, m.108.
85 Stevenson, *Wallace Papers.*, no. xv.
86 Wallace was first described as 'keeper of the kingdom and leader of the

army, in the name of the prince, Lord John, king of Scots, by consent of the community' on 29 March 1298 [ibid., no. xvi]; Wallace and Murray described themselves as 'leaders of the army of the kingdom of Scotland and the community of the same kingdom' in the letter to the German towns.

87 Prestwich, *Edward I*, p. 479; Stevenson, *Documents*, ii, p. 232; *CDS*, iv., no. 1835.

88 E101/6/30, m.3; *Guisborough*, pp. 304–7.

89 E101/6/30, m.1.

90 *Lanercost*, pp. 193, 192. Lanercost priory is only about twelve miles from Carlisle and twenty from the border.

91 *CPR, 1292–1301*, p. 314.

92 E101/6/35, mm.11, 4.

93 Prestwich, *Edward I*, pp. 424, 478–9; Stevenson, *Documents*, ii, pp. 255–6; Gough, *Scotland in 1298*, pp. 64–6.

94 E159/71, m.24; Gough, *Scotland in 1298*, pp. 79, 82.

95 E159/71, m.108.

96 E101/6/35, m.7.

97 E101/6/35, m.9; *Guisborough*, pp. 313–5; Prestwich, *Edward I*, p. 479.

98 Prestwich, *Edward I*, chapter 15; J. Favier, *Philippe le Bel* (Paris, 1978) chapter 8.

99 *Ibid*., pp. 421–2, 427; *CCR, 1296–1302*, p. 77; *Parl. Writs*, i, p. 306.

100 The regnal year, by which most official documents are dated, begins on the day on which the king in question ascended the throne. In Edward I's case, this was 20 November 1272. Thus regnal year 26, the one in question here, ran from 20 November 1297 to 19 November 1298.

101 Stevenson, *Documents*, ii, p. 239; E101/6/35, m.7; Gough, *Scotland in 1298*, pp. 1–5.

102 E159/71, m.108; E101/6/30, m.3.

103 E159/71, m.108; E101/6/30, m.2.

104 E101/6/33, m.1.

105 E101/6/35, m.17.

106 Ibid., ii, p. 260.

CHAPTER THREE

A KINGDOM DIVIDED

BOTH sides seem to have done very little between Surrey's aborted winter campaign and the arrival of Edward and his army in June 1298. No doubt the relieved English garrisons of the south-east made good use of this period to restock their supplies and check their defences. Fortunately, they remained safe from attack even after the army was disbanded in March because the earls of Surrey, Norfolk, Gloucester, Hereford and Angus stayed behind at Berwick with their companies. On 8 April Edward, who returned from Flanders on 14 March 1298, summoned them to a royal council to be held in York on 24 May. However, they were to come from Berwick as secretly as possible, leaving behind enough men to defend the town.[1] The English were now taking the threat from the Scots very seriously.

The writs of summons for the summer campaign also went out on 8 April 1298. A total of twelve thousand six hundred Welsh footsoldiers, along with one thousand from Lancashire, were ordered to arrive at Carlisle by 17 June, later postponed to 25 June.[2] According to the exchequer accounts recording the payment of these troops, the total numbers of Welsh who actually mustered reached an astonishing twelve thousand seven hundred and seventy-nine. In addition, four thousand and forty-seven footsoldiers came from Ireland, Shropshire and Staffordshire, serving together under Sir John Segrave, two thousand and fifty-seven were gathered from various English counties, one thousand and twenty-seven were withdrawn from the Berwick garrison and twenty-nine crossbowmen arrived from all over the country. This provided a grand total of twenty-one thousand five hundred and thirty-nine footsoldiers, sixty per cent of whom, it should be noted, were Welsh. The army continued to increase in numbers right up until two days before the battle, when twenty-five thousand seven hundred and eighty-one footsoldiers were paid their wages; since the additions came mostly from England, this lowered the overall Welsh total but the latter is still an impressive contribution.[3]

Two hundred and ninety-three personal summonses were sent out to

various nobles, though in many cases there is no evidence, either from safe-conducts or horse-evaluation rolls, for their presence on the campaign. From these last two sources, as well as the Falkirk Roll of Arms, which lists the knights and bannerets in the four English battalions at the battle, about fifteen hundred men-at-arms seem to have actually served. Edward also ordered twenty or thirty carpenters and around two hundred of the best diggers to come to him at Alnwick, though it is not clear to what use they were to be put.[4]

Almost all of those with Edward in Flanders, including Sir Aymer de Valence with the largest retinue, Guy of Warwick, about to succeed to the earldom on the death of his father, the Scot, Sir Alexander Balliol of Cavers, and the bishop of Durham, continued in the king's service over the summer. Even more impressive, however, was the service performed by the North Welsh over 1297–8. Gruffydd ap Rhys, their captain, served under Surrey from 8 December 1297 until 29 January 1298. He then seems to have taken a Welsh contingent briefly to Flanders since a safe-conduct was issued to him and his men on their return from the continent on 15 March. Ap Rhys did not himself serve on the Falkirk campaign, though five constables from North Wales who had been with Surrey in December 1297 returned to Scotland in July 1298. The other Welsh contingents do not seem to have served quite so devotedly, though a further thirteen Welsh constables were present on both the winter and the summer campaigns.[5]

If provisioning had been important – and difficult – for the winter campaign, it was absolutely crucial to the maintenance of the huge army that Edward intended taking with him in 1298. John Sheffield, who had been in charge of collecting victuals in Yorkshire for Surrey's campaign, continued to be responsible for purveyance for the rest of the regnal year. Given the resentment already caused by the cost of Edward's war efforts, the king was very keen to ensure that all taxation came in quickly and efficiently so that payment for provisions could be made as swiftly as possible.[6] Those who were being asked for contributions required constant reassurance, however. The sheriff of Gloucester, for example, had to inform the king that the men of his county were still worried that they would not be paid for what was taken from them; Edward soothingly replied that purveyance would be made 'in the best way and to the least grievance' of those from whom it was exacted. However, payment was not to be made until the goods had actually been received by the king, implying a delay of some weeks at least.[7]

The counties of Lancashire, Cornwall, Devon, Gloucester, Somerset and Dorset, as well as Ireland, were also ordered to purvey victuals and send them to Carlisle, where the Welsh footsoldiers were assembling. Unfortunately there is no evidence for the arrival of these provisions, except for sixty barrels of wine which came from Bristol in July. Though Edward appears to have been trying to spread the burden of payment for the Scottish wars, the practical difficulties encountered in transporting goods from southern England

generally meant that very little was sent from these areas. Equally, it was in the interests of the southern counties to make the government think that it was not worth asking for contributions.

Scotland was easily accessible from the ports on the east coast of Ireland and thus large amounts of purveyance were demanded from the lordship in every year of Edward's Scottish wars. On 15 April 1298 the request for provisions did not even specify the exact amounts, as was the case for the English counties; basically, as much as possible was to be sent to Carlisle. The Irish treasurer paid out more than £4000 for the goods thus purveyed, an enormous sum considering that the total receipts at the Irish exchequer for this year amounted to only £5671.[8]

Purveyance was not confined to foodstuffs, of course. On 12 June 1298, a few weeks before the army was due to muster, the sheriff of Northumberland was ordered to buy as many horses and carts as possible to be sent to Newcastle by 17 June. Iron was also to be acquired for shoes and nails for the king's horses.[9] The army could certainly not get very far without such attention to detail.

The logistics of this whole operation, which involved the proclamation throughout each county of the demand for purveyance, the setting-up of collection points and then the transference of all goods to a port ready for transportation north, rarely went smoothly and certainly not smoothly enough for Edward himself. On this campaign, the sheriff of Lincoln, Peter Draycote, and the clerk assigned to help him collect victuals, Peter Mollington, attracted the king's particular wrath. Edward may have had a point, however, since the pair seem to have arbitrarily detained three ships from Sandwich, en route to Berwick laden with corn, despite the production of royal protections. A week later, on 7 July, the king was complaining more generally about the negligence of officials in Yorkshire and Lincolnshire in getting victuals to Berwick and demanding punishment as a warning to others of the harm they could cause to the campaign. Edward then wrote directly to Peter Mollington, complaining of the delay and ordering him to send the grain northwards immediately, on pain of the utmost penalties.[10]

On 21 July 1298 a ship containing one hundred and six quarters of wheat and eighty-nine quarters of malt at last arrived in Berwick from Lincolnshire, albeit too late to provision the army prior to the battle of Falkirk. The next recorded arrivals were not until September, however, when two ships reached Berwick on the 2nd and the 11th respectively.[11] To conclude that this was unsatisfactory is something of an understatement.

In addition to the goods sent up from England through purveyance, English merchants also followed the army, bringing their goods with them to sell in this somewhat captive market. According to Guisborough, as the army prepared to march to meet the Scots immediately prior to the battle, the king '. . . with his own mouth spoke to those who sold merchandise, so that they should carefully bring their bundles and follow him without fear'. The

surnames of those mentioned in the records suggest that they were English, rather than local, merchants.[12] The profits from such enterprises were presumably high but the dangers, as the army advanced into what was effectively enemy territory, were correspondingly daunting.

Details of provisioning are nevertheless of very little use unless we have some idea of exactly how much was needed to keep Edward's army from starvation. Given that the lowest wage paid to those in the king's service was 2d. per day, let us presume that half of that sum was spent on bread, which constituted a large part of the staple diet of most of the medieval population. If we also presume that the wheat, once it had arrived in Scotland, was sold to the English soldiers at the 15s. per quarter that Amersham paid for it,[13] then it is possible to calculate approximately how much was needed to feed the army per day. Since there are one hundred and eighty pennies in fifteen shillings, one hundred and eighty footsoldiers would therefore consume one quarter of wheat. One hundred and twelve quarters of wheat per day were therefore required, approximately, to feed twenty thousand footsoldiers.

This figure is given some degree of corroboration from other evidence. It is recorded elsewhere that three bushels (eight bushels = one quarter) of wheat were intended to feed seventy-six men for one day[14] and, by this calculation, it would thus have required approximately one hundred quarters per day to feed twenty thousand men. These are only rough estimates – and admittedly the footsoldiers would have supplemented their diet with other victuals, such as beans and peas – but they serve to place the amounts of foodstuffs transported to Scotland in some sort of context. It should be remembered that the shipload from Lincolnshire mentioned above contained only one hundred and six quarters of wheat, sufficient to feed the army for a grand total of one day at most.

Having turned his full attention to Scotland, there is no doubt that Edward intended to pursue his goal of subjugation thoroughly and wholeheartedly. To this end, it was decided to transfer the exchequer and the common law courts from London to York, where they remained for the next six years.[15] A royal council meeting, to which each English shire and burgh was ordered to send two representatives, was also planned for 24 May.[16] The Scottish nobility were apparently summoned to this gathering, on pain of outlawry (though there is no official record of these summonses) but none are known to have appeared. This gave the king the justification he needed to pass sentences of forfeiture on them, paving the way for the granting out of Scottish lands after the campaign. The army then set off north and Edward arrived in Scotland once more on 3 July 1298.[17]

Victuals, or, more accurately, the lack of them, were a dominant theme in the initial stages of the Falkirk campaign, according to the chroniclers. William Rishanger writes that the king camped with his army at Kirkliston, just south of the Firth of Forth, between 15 and 20 July, in order to receive provisions

from ships coming up from Berwick. At the same time, a force under the bishop of Durham was sent to recapture Dirleton and two other castles (probably Yester and Hailes) in east Lothian. Unfortunately, contrary winds prevented the arrival of these ships and many in the army died of starvation.[18]

Guisborough relates a similar story, stating that the bishop of Durham was only able to win the siege of Dirleton because '. . . three ships came laden with victuals . . . While these things were going on, for almost a month the king's supplies failed. Ships had not come by the 'eastern sea' [as the king had fore-ordained] 'because of contrary winds, but some came with 200 barrels of wine and a few provisions', causing the Welsh to get drunk and start fighting their English comrades-in-arms. The possibility of Welsh disloyalty did not apparently greatly bother Edward, even if they were to join the Scots. The lack of victuals, however, did cause him much concern and he was reputedly intending to return to Edinburgh to get supplies by the 'eastern sea' when he discovered the whereabouts of the Scots. He then called everyone to arms and they marched straight for Wallace's army at Falkirk, stopping overnight at Linlithgow.[19] Given the huge numbers of Welsh in the English army, Edward should certainly have been perturbed by the possibility of their rebellion. Indeed, this disparaging story might even be termed ungrateful, considering the service performed by the North Welsh, particularly, in English armies in these years. Nevertheless, it is hard to dismiss the story, which certainly suggests a continuing uneasiness in relations between England and the principality.

The evidence for food supplies supports the assertions of the chroniclers that the army suffered from an acute lack of provisions as it marched through Lothian. July certainly saw the greatest number of ships reaching Berwick but, of the seventeen recorded, only five arrived in time to supply the army before the battle, had the winds been favourable. These five ships brought, between them, 63 quarters of malt, 7 meat carcasses, 250 quarters of oats and 725 quarters of wheat, enough victuals, by the above calculation, to supply twenty thousand footsoldiers for only about a week.[20]

This situation was exacerbated by the fact that the English had no idea where the Scottish army was hiding out, nor what Wallace's intentions might be. Indeed, on 19 July, only three days before the battle, the treasurer's lieutenant at York wrote to the sheriffs of the northern counties ordering them to investigate, 'as secretly and circumspectly as possible', whether or not the Scots were planning an expedition across the border. If this looked likely, the sheriffs were to send a messenger, 'riding day and night', to York, so that orders could be given to resist the invaders. This would prompt a call-up of men with horses and arms, the preparation of wood and turf for making beacon fires and the imprisoning of all Scotsmen living in these counties.[21] The battle of Falkirk came just in time, both for those starving in the royal army and those panicking at the thought of another of Wallace's raids across the border.

The Scots, no doubt heartened by news of the famine sweeping through the English army, and Edward's own incapacity after being stood on by his horse, decided to seize the opportunity to defeat Edward and, so they hoped, expel him from the country once and for all. Wallace's decision to risk his troops in battle against a very large and experienced English army led by the king himself therefore becomes rather more understandable. The Scottish guardian had prepared his ground, positioning his spearmen in their *schiltroms* – semi-circular or hedgehog-like formations – interspersed with archers, who in turn were protected, theoretically at least, by the Scottish cavalry behind. They were defending a hill, with a loch 'of pitch' (perhaps a description of a rather wet peat bog) separating them from the English army. The battle did not, in fact, begin well for the English, as a result of the ill-disciplined charge of two of the cavalry divisions. However, once the Scottish cavalry had fled, leading to the annihilation of the Scottish archers under Sir John Stewart, the English archers were able to employ their deadly skill against the helpless schiltroms.[22] Edward and his army had re-established English military supremacy over the Scots, restoring a more usual martial order to proceedings. Scottish casualties must have been catastrophic but we have no way of ascertaining a realistic number; the Lanercost chronicler estimates between eighty and one hundred thousand dead, smugly noting that '. . . there were no noble men killed on the English side except the Master of the Templars and five or six esquires'.[23] However, there certainly were many fatalities on the English side: the wages payments to footsoldiers for the period covering the battle decrease by over three thousand.[24] We are left to draw the inevitable conclusion that these men fell at Falkirk, the silent, but significant, casualties of an English victory.

Edward was under no illusions that Scotland had been restored to his control. Though he sent his footsoldiers back over the border to wait at Carlisle, the cavalry remained with him in the north. He regarded it as a priority to re-establish control over southern Scotland and also to ensure that all his garrisons were capable of defending themselves against future attacks. His first target was that most strategic of castles, Stirling, which had been in Scottish hands since shortly after Stirling Bridge. The siege lasted about two weeks, the castle surrendering some time around 8 August, on which date it was supplied and the king left for his next appointment.[25]

There are various accounts as to what exactly Edward and his cavalry got up to after Falkirk. Piecing the evidence together, it appears that a separate force, led by the Earl of Lincoln, was despatched north immediately after the battle. This force succeeded in recapturing Cupar castle before the end of July and also laid waste to Perth and St. Andrews. The main force, led by the king, moved west after the fall of Stirling. Their next target was Ayr castle, which the earl of Carrick, again nailing his colours to the Scottish mast, had recently set alight and left empty; this sent Edward down through Annandale, where he

stopped off at Tibbers to inspect a 'stone' house being constructed there by Sir Richard Siward, its lord. He was sufficiently impressed with what he saw to involve Siward in building works at Lochmaben the following year. The king may then have intended to make an expedition into the difficult country of Galloway despite the fact that the army again faced food shortages due to the non-arrival of ships to support its activities. After fifteen days of severe famine (*fames valida*), according to Guisborough, they turned back through Annandale and reduced Lochmaben, probably in revenge for the activities of the earl of Carrick and despite the fact that the castle actually belonged to the latter's entirely unrebellious father.[26]

On 8 September Edward and his men-at-arms rejoined the rest of his army at Carlisle. According to Guisborough, the earls of Hereford and Norfolk, with their retinues, then left the army because they were upset at the granting of Arran to Sir Hugh[27] Bisset of Antrim. This Irish opportunist had landed on the island with a large force, intending to support the Scots; however, on hearing of the English victory at Falkirk, he promptly offered his allegiance, and his conquest, to Edward and was duly rewarded. The earls took exception to this because the king had 'forgotten' his promise to take their advice when making any land grants.[28]

Edward was, in fact, now ready to make extensive grants from estates forfeited from the recalcitrant Scottish nobility in May. These included James the Steward's barony of Renfrew, given to the earl of Lincoln, the Maxwell castle of Caerlaverock, given to Sir Robert Clifford, and certain lands belonging to the tiny Andrew Murray, posthumous son of the victor of Stirling Bridge, which went to Sir Robert Tony.[29] However, the extent to which these grants were worth much more than the parchment they were written on remained to be seen.

Despite the defection of the senior earls and the approach of autumn, Edward still had one final piece of unfinished business to complete in Scotland for this year. The security of the south-east could not be regarded as satisfactory until Jedburgh castle, a lone Scottish outpost in that area, had been neutralised. An English force – surely a small fraction of the original army – thus recrossed the border and headed back east. The siege took place throughout the first eighteen days of October and, despite orders for coal, iron and steel to be sent from Berwick for the siege engines, a payment of 100s. to John Pencaitland, the constable, suggests that the garrison submitted after negotiation. The Scots may well have tried to save the castle, however, since a horse belonging to one of the company of Sir Simon Fraser, Edward's warden of nearby Selkirk Forest, was killed on royal service on 3 October,[30] suggesting there had been a skirmish.

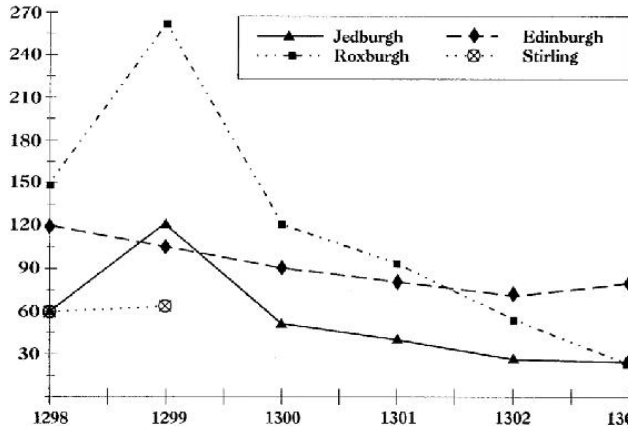
Jedburgh was now given a new garrison under the command of Sir Richard Hastangs, whose brother, Sir Robert, was already in charge of nearby Roxburgh. As a final precaution, a 'great engine' was to be sent up from Carlisle castle.[31] Edward could now go home. However, his officials in

Scotland still had work to do. Throughout October and November the other south-eastern castles of Edinburgh, Berwick and Roxburgh required to be resupplied and a check made that the men inside were sufficient to protect them from attack now that there was no English army nearby to provide relief.

As **Table 1** indicates, the numbers placed in the south-eastern garrisons were fairly substantial, particularly in terms of footsoldiers. This was not the full complement either because, in addition to the garrison in Berwick castle shown in the table, a significant force of sixty men-at-arms and one thousand footsoldiers was also ordered to reside in Berwick town. This impressive total was almost reached by the end of October 1298: a total of up to fifty-six men-at-arms and nine hundred and ninety-nine footsoldiers were either encamped in the town or on their way there.[32]

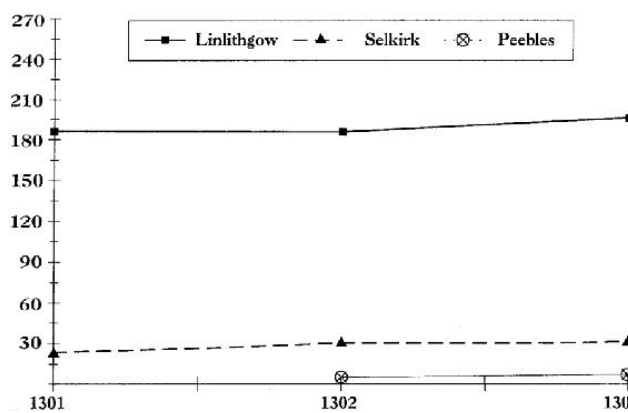
In order to put these figures in some kind of context, it is interesting to compare them with the size of the garrisons placed in Wales by Henry IV one hundred years later during the revolt of Owain Glyn D[ŵ]r. During the years of crisis for the English (1402–6), many of the huge Welsh castles built by Edward I were manned by little more than thirty men. On the other hand, in south Wales particularly, forces of up to five hundred men served under the command of important magnates such as the Duke of York. The contrast in size was a reflection of their differing functions: the smaller garrisons were merely expected to hang on until the situation got better, while the larger forces were usually put in place when things had improved, often after a royal campaign. Though they were certainly intended to defend their hinterland, these larger garrisons were also expected to play a more active role in bringing the local population to peace.[33] This dual situation also operated in Scotland after 1297. In 1298, after an intensive campaign, the south-east was to be defended by one hundred and seventy-five men-at-arms and nearly thirteen hundred footsoldiers in total; this was effectively a small standing army and it speaks volumes about the extent to which the English felt vulnerable even in the heartland of their occupation.

Table 1: *Edinburgh, Roxburgh, Jedburgh and Stirling garrisons, 1298–1303*[35]



In addition to the sheer numbers deployed in the south-east, a number of other precautions were taken to guard against any potential mishaps. It was made absolutely explicit that no-one in Berwick town was to venture out against the enemy unless accompanied by thirty men-at-arms and five hundred footsoldiers from the garrison. Equally, the keeper of Berwick town, Sir Philip Vernay, and his opposite number in the castle, Sir John Burdon, were ordered to alternate as leaders of such expeditions so that one was always left in charge of Berwick itself. Such prudence implies a recognition of the fact that, in contrast to 1296, and despite the fact that Wallace supposedly gave up the guardianship soon after Falkirk,[34] there was no let-up in the Scottish war effort.

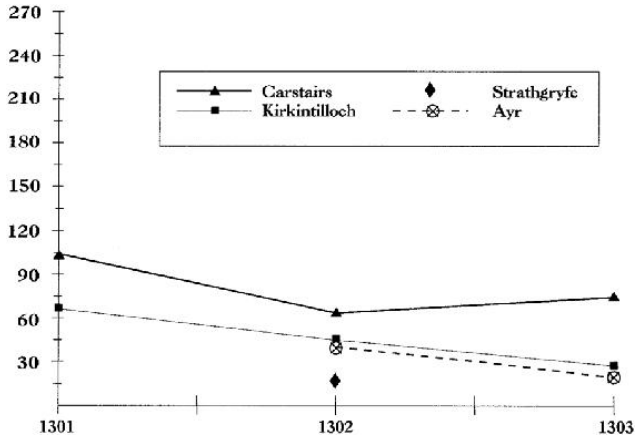
Table 2: *Linlithgow, Selkirk and Peebles garrisons, 1301–1303*



Edward also bowed to the inevitable with regard to the command structure to be established over English forces in Scotland. Surrey had finally made his point regarding his unsuitability for the job as lieutenant and no-one else seems to have been either willing or able to take it on as yet.Thus a series of lesser appointments of a predominantly military, rather than administrative,

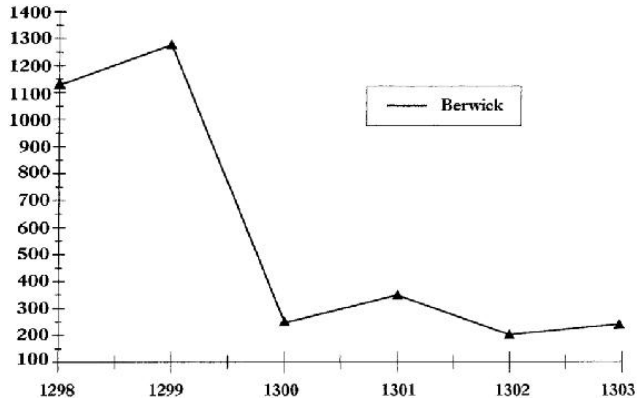
nature were made. Patrick, earl of Dunbar, captain of the Berwick town garrison since 28 May 1298, was promoted to captain of all fortifications and troops in the eastern march on 19 November 1298.[36]

Table 3: *Carstairs, Kirkintilloch, Strathgryfe and Ayr garrisons, 1301–1303*



Similar ordinances were made for the organisation of English garrisons in the south-west. Sir Robert Clifford replaced Sir Henry Percy as captain of the western march six days after Dunbar's appointment. As such, Clifford was ordered to receive the men of Nithsdale to the king's peace, though we have no way of knowing whether this was based on a firm expectation of Scottish submissions or merely the hope that this would happen after the recent campaign.[37] Another Scot, Sir Simon Lindsay, was appointed as captain in the Esk valley on 20 November; Sir Ingram de Guines, Sir Walter Teye and other English officials holding unidentified posts in the area were ordered to be obedient to him.[38] De Guines was a nephew of Alexander II's queen, Marie de Coucy, and had married Christian Lindsay, an heiress to extensive estates particularly in Clydesdale; he was presumably being asked to put his private castles and garrisons at the new captain's disposal. The appointment of these Scots, Dunbar and Lindsay, to positions of authority within the English military establishment is an interesting development that perhaps indicates a growing pragmatism on Edward's part, given the general lack of enthusiasm for Scottish office among his own nobility; equally the Scots themselves probably saw the benefits of serving Edward.

Table 4: *Berwick*



The recent campaign through the south-west had brought the area back under English control to some extent and garrisons were established in Dumfries and Lochmaben. This last castle had not been forfeited by its owner, Bruce of Annandale, and Edward thus technically had no right to occupy it, despite the rebellious behaviour of Bruce's son, the earl of Carrick. However, Lochmaben was of major strategic importance to the English administration. Served by the wharf at Annan, it was easily reached from Carlisle and thus was ideal, from Edward's point of view, for controlling the south-west. During this period it can thus be regarded as a royal castle though presumably Edward was forced to explain the exigencies of war to the deprived lord of Annandale.

Dumfries, which came under Sir Robert Clifford's jurisdiction, was given a garrison of twenty-six crossbowmen and six footsoldiers, together with a total of ten miscellaneous carpenters, engineers, smiths and masons, implying that a degree of renovation was intended. This was a comparatively small force and, though we have no figures for the Lochmaben garrison at this point, the evidence for succeeding years suggests that it, not Dumfries, was the main English base in the south-west. Lochmaben's new keeper was Sir Robert Cantilupe, who was also made warden of Annandale. Cantilupe was the only officer explicitly empowered to hold courts and pleas, with the assistance of the bishop of Carlisle and Master Richard Abingdon, the receiver, under him. It is possible that Clifford held overall administrative responsibility for the south-west but, given his obvious interest in military matters, it is more likely that Cantilupe, with his two associates, were key figures in any 'normal' government in the area.

The concern taken here to re-establish the rule of law through English officials might be construed as a recognition of the necessity to provide firm government, both as a laudable end in itself, and as a means of promoting acceptance of Edward's regime. However, it should be noted that English control in the south-west after Falkirk was only likely to be effective in the areas immediately surrounding Dumfries and Lochmaben, including Nithsdale and Annandale at best. Even that control was by no means total since

Caerlaverock castle, situated between the two garrisons, was still held by the Scots and certainly proved a thorn in the side of these English garrisons until its capture in 1300. In other words, the injunction to Cantilupe to hold courts by no means implies that he actually managed to do so and there is certainly no evidence for Edwardian judicial activity in the south-west before 1303. Equally, we must entertain the possibility that the Scots themselves maintained some kind of administrative control there, though there is again no way of ascertaining this from the precious few remaining documents from the Scottish side.

Far from reverting to the dejected submissiveness of 1296 after their defeat at Falkirk, the Scots continued to harass Edwardian positions in Scotland and also to take the war south of the border, or at least threaten to do so. This last point is illustrated by the excuse made by the sheriff of Cumberland, Sir William Mulcastre, for not turning up at the exchequer in York to render his accounts on 30 October 1298. Apparently, he claimed that

. . . during the present war between the king and the Scots, who lately invaded the said parts and caused much damage and put them in much danger . . . the county could not be without its sheriff, and so he could not come to render his account.

Obviously it was in the interests of the sheriff to try to gain a rebate on the issues which he was expected to pour into the Crown's coffers and the above could, feasibly, refer to Scottish activities earlier in the year. However, Mulcastre's excuse was accepted and he was ordered to come when he could. This he did on 16 November '. . . and returned to those parts to save them from damage or danger from the Scots'.[39] The threat was certainly not believed to be over.

To combat this a number of appointments were made, putting the northern counties on the same war footing as the English-held areas of southern Scotland. Three captains, Sir Walter Huntercumbe, Sir Ralph FitzWilliam and Sir Thomas Furnivall, were appointed in Northumberland, Yorkshire, and Nottinghamshire and Derbyshire respectively, with Sir William Latimer over them as captain-general. Furnivall's appointment indicates that Scottish activities were biting deep into the English Midlands; even if the raids themselves did not extend so far, these counties were still expected to act in the defence of the north.

These precautions were taken in order to provide a mobile force over the winter months. All the above captains were ordered to assemble the men-at-arms of northern England and the western marches of Scotland at Carlisle. Those owning land worth £30 were to provide one *barded*, or lightly-armoured, horse (and rider), those having £60 worth of land to provide two, and so on.[40]

However, although these English preparations look most impressive, the

reality was rather less convincing. Once again the problem was provisioning. Huntercumbe, the captain of Northumberland, wrote desperately to the king around this time, seeking an allowance for the corn and cattle which he had been forced to take for his men 'as Northumberland was in the greatest danger from the Scots, for his own means were exhausted and if he had left his ward, the county would have been ruined'. Huntercumbe could, of course, have been exaggerating the situation and Edward certainly had no sympathy for him, denying the petition.[41] However, this incident would seem to illustrate once more that those intending to take up royal office required a significant private income if they were to have any chance of fulfilling their duties.

The threat to the northern counties may, in reality, have remained just that; it is not at all clear that the Scots actually crossed the border after the battle of Falkirk. However, the English in Scotland were certainly presented with the very real danger of enemy attack. On 25 November 1298, Sir Simon Fraser, at Selkirk, was ordered by the king, who was still at Newcastle, to join an expedition currently being organised by Sir John Kingston, the sheriff of Edinburgh. Edward was very keen that this raid should be a success and did not regard Kingston's men as sufficient for the purpose. Five days later the remaining garrisons of the south-east were also ordered to join in and it emerged that the object of the expedition – and one which the English were presumably at pains to keep secret – was, in fact, Stirling castle, now seriously under threat from the Scots. At a meeting held at Berwick, Huntercumbe, Fraser, Sir Robert Hastangs and Sir Philip Vernay agreed to pass on to Kingston any information about Scottish activities so that he could decide by 14 December whether or not they should come to Edinburgh castle. One hundred and ninety horsemen were to be gathered from the garrisons of Jedburgh, Roxburgh, Berwick town, Edinburgh, Northumberland and even Norham castle, as well as quotas from Sir Simon Fraser, Sir Alexander Balliol of Cavers and, as a special request, the earl of March.[42]

This was not the end of the preparations, however. On 2 December 1298 a clerk, William Rue, was sent to Berwick to oversee the despatch of provisions to Edinburgh. It was hoped that Sir Philip Vernay, the keeper of Berwick town, could acquire them from his own area and pay any 'small expenses' from the Berwick issues, but, in the final resort, they would be sent from England. In addition, a ship was to be kept ready at all times to carry goods up to Edinburgh until the following Easter (9 April 1299). Vernay does seem to have had some success in procuring goods himself, suggesting that around Berwick, at least, the local population was prepared, willingly or otherwise, to co-operate with the new regime. At the same time, sixty quarters of wheat, sixty quarters of barley and sixty quarters of oats were set aside to be taken on to Stirling.[43] This was almost eight months' supplies for the 63-strong garrison.

By the end of December preparations were in full swing. Sir Alexander Convers, the royal clerk responsible for provisioning the south-east as a

whole, was sent instructions by the king, who was still taking a close interest in proceedings. Six hundred men-at-arms were now being sent to Edinburgh, and Convers was to accompany them with money from the wardrobe to pay their wages, 'for it seems to us that the money can be best kept in Edinburgh castle as anywhere else in these parts'. The clerk was not allowed to return south until Stirling had been successfully relieved, 'which expedition is to be done as hastily as you can but in such a good way and surely'.[44]

From the tone of these royal letters, it is easy to imagine the king at Newcastle, angry and frustrated at his inability to involve himself personally in English activities in Scotland because of the dissolution of his army, and worried that the effects of the 1298 campaign in general, and the battle of Falkirk in particular, would come to nothing. It had been an expensive year: most of the £76,549 4s. 6d. spent through the wardrobe had gone on the Scottish war.[45]

Despite the lack of evidence for the activities of the Scottish administration, we must nevertheless constantly remember that, in the years after Falkirk, English control did not extend much beyond the Forth in the south-east, and was limited to very particular (though increasing) areas of the south-west. In neither case was that control absolute, as illustrated by the Scottish attack on Stirling. Those areas on the border of English and Scottish control were probably not administered effectively by either side, and local communities were thus effectively left to get on with it. However, we can surely presume that the entire north-east acted as the heartland of a reasonably cohesive Anglo-Scottish administration, even if we know precious little about its day-to-day activities.

Certainly Wallace and his advisers realised the pressing need to reinstitute as full an administrative system as possible in the name of King John. The Scottish chancery was up and running again within a month of Stirling Bridge, issuing charters and restoring the diplomatic links vital to Scotland's economic and political wellbeing.[46] Balliol was indeed fortunate in having men of long administrative experience, such as the former guardian, Robert Wishart, bishop of Glasgow, active in his cause. Their activities were complementary to, and just as important as, the work of the military men, in the same way as Edward's clerks were vital to the very survival of the English administration in Scotland. Equally importantly, the Scots, led by churchmen like Matthew Crambeth, bishop of Dunkeld, maintained a constant diplomatic pressure on both the king of France and the pope, Boniface VIII. Their first major achievement came in 1299 when their king, forcibly resident in London since 1296, was transferred into papal custody. Equally, Edward, intent on recovering control of Gascony, was more amenable to the requests of his new brother-in-law, Philip of France.[47]

Despite his persistently belligerent and overbearing attitude towards the Scots, Edward was no fool; he recognised that, notwithstanding the victory at

Falkirk, the English position within Scotland remained most unsatisfactory. He was determined to return north as soon as possible but had to ensure that next year's campaign would be properly resourced. His first priority was therefore to refill his coffers. On 27 December 1298 he sent an urgent message to his sheriffs requiring money from any possible source – arrears, issues – except that put by for the 'purveyance recently made for Scotland [i.e. for the next campaign]'.[48] However, Edward's financial situation required the constant juggling of the Crown's resources to keep ahead of his creditors: on 25 May 1299, for example, he granted the citizens of Bayonne all the customs on wool, hides and woolfells in England, Ireland and Scotland 'after that land is in good peace' to pay off his debts to them.[49] The annual return from the customs between 1278 and 1287 has been estimated at an average of £8,800, increasing to about £13,000 for the last four years of the reign.[50] Though Edward had little choice but to pay the Bayonne merchants, not least to ensure continued credit, the loss of this vital revenue even for one year must have had an important knock-on effect on his ability to prosecute the war in Scotland over the longer term.

Preparations for the 1299 campaign began almost immediately. The orders for purveyance sent to various English officials and also the sheriff of Berwick on 12 December 1298 included detailed instructions as to how grain should be stored properly so that it remained in a fit enough state not only to survive the long and difficult journey north, but also for a year or so thereafter.[51] Lessons were being learned the hard way by Edward's garrisons: they had been unable to rely on the regular replenishment of their stores over the previous eighteen months either because they were cut off from the supply line by the enemy, or because there just wasn't enough available. Edward also seems to have given consideration to the organisation of his fleet after the non-appearance of ships bearing victuals almost brought disaster to his army before Falkirk. This led to more clear-cut definitions of what service was owed and by whom, though it did not take effect until 1300, since there turned out to be no campaign in 1299.[52]

Despite the considerable preparations made at the end of 1298 to preserve Stirling castle, the Scots were nevertheless able to upgrade their activities from attacks on Stirling's supply line to a full-scale siege during the spring of 1299. Without proper siege equipment, this was more of an attempt to starve or bore the English garrison into submission, rather than a significant bombardment. Equally, the Scots were unlikely to have commanded sufficient manpower to cut the castle off completely for the necessary duration of the siege, and there is evidence for the conclusion of at least one truce made with the garrison in the early months of the siege. The usual period for unpaid military service in Scotland, as in England, was only forty days and thus large sums of money were surely necessary, as the siege dragged on, to pay those remaining with the besieging force. It is most unfortunate that no official

records have survived to provide evidence for the Scottish war effort, not least to act as a comparison with English activities.

Nevertheless, we should be wary about presuming that the Scottish military effort at Stirling lacked commitment. Nor should we suppose that all members of the local community were desperately waiting to be rescued from the evil English garrison. One Eva of Stirling fell very foul of the besieging army when it was discovered that she had been supplying the English garrison with supplies purchased from the surrounding area. After a ten-week spell in prison, she was finally exiled from 'the land of Scotland' and had dared not return as late as 1305. In that year she was finally able to petition King Edward to be restored to the messuage[53] and three acres of land she had held in the burgh, though it is not known if she was successful.

Sir Herbert Morham, an East Lothian man whose father, Sir Thomas, was in fact currently in Edward's service in the Edinburgh garrison, seems to have had command of the Scottish army at Stirling initially.[54] It is not clear whether he was acting in conjunction with the Scottish government which, since at least December 1298, had been in the hands of two guardians, Sir John Comyn of Badenoch, junior, and Robert Bruce, earl of Carrick.[55] Presumably there was a degree of collaboration, or at least authorisation, but much of the impetus behind activities of this kind undoubtedly lay with individuals or groups acting on their own initiative.

However, Sir Herbert seems to have overestimated the potential for private enterprise in this war, proving unable to resist abducting Joan de Clare, widow of Duncan, earl of Fife, when she tried to leave the insecurity of Stirling castle for England, presumably during the truce. By 22 April 1299 Morham had himself been captured and imprisoned in Edinburgh castle (putting his father in an interesting position); meantime, command of the Scottish army at Stirling had devolved on someone else, most probably Morham's kinsman, Sir Gilbert Malherbe of Slamannan and Livilands, who was named as sheriff of Stirling around this time and who received the eventual submission of the castle.[56]

The dependence on local interest groups to engage the enemy in their own areas may imply a lack of co-ordination in the Scottish war effort. However, since it did not require huge numbers of men to make life difficult for most of the English garrisons, such an approach may well have been the most effective; this was especially true in terms of cost, not least because the Scots could take advantage of that half of the year which was generally unpalatable, weatherwise, to English armies. Such a devolution of military authority may have been more usual in medieval warfare than the traditional concentration on large national enterprises, usually led by kings and princes with the intention of provoking battles or sieges, might lead us to believe.[57]

The resources available to the Scottish government were certainly risible compared to those flowing in even to Edward I's depleted coffers.[58] The

outbreak of war, with the subsequent occupation of much of southern Scotland, hardly improved the situation. Nevertheless, the Scots seem to have been able to launch attacks on English garrisons even in the latter's heartland of the south-east. On 28 January 1299, the sheriff of Northumberland was ordered to take a sum of money without delay to Berwick 'safely and securely, taking heed of the danger'.[59] At some point in the following month, the threat was considered so serious that an ordinance was made for the town's security. All defences (Berwick was still surrounded by a timber, rather than a stone, wall[60]) were to be checked twice a week and any damage was to be repaired immediately. All military personnel were to be examined to ensure that they were 'sufficient' and the footsoldiers were to be quartered near their guard. If anything untoward was found, the king's council at York was to be notified via the sheriff of Northumberland.[61]

Roxburgh castle was causing equal concern. Sir Robert Hastangs, the constable, had begun constructing walls there (presumably, like Berwick, not in stone) but he needed reinforcements to man them and also to defend the town. Provision was made for one hundred men to be sent from Berwick, but only if they were available and if an attack on Roxburgh was imminent.[62] The danger to these castles, which had been the only two to survive the Scottish onslaught after Stirling Bridge, was clearly regarded as a very real one; equally, the borrowing of soldiers by one garrison from another indicates that there was insufficient manpower in the area to defend them all adequately. If this was the situation in the south-east, the isolated English garrisons of the south-west were undoubtedly even more vulnerable.

Lochmaben was also undergoing refurbishment, including the construction of a pele, or palisaded area. Although the presence of twenty-seven crossbowmen to protect the builders indicates the constant fear of Scottish attack, the most pressing problem early in 1299 was the lack of supplies. Sir Robert Clifford, captain of the south-western garrisons, wrote to Master Richard Abingdon, the receiver at Carlisle, requesting that the crossbowmen be paid fifteen days' wages in advance, ostensibly because 'at present no supplies can be got here', but effectively because otherwise they would not stay.[63]

Dumfries proves something of a mystery in this period. Certainly a garrison was paid to stay there between 20 November 1298 and 30 June 1299.[64] However, none of the purveyance which arrived at Carlisle from Ireland in May 1299 was sent to replenish their supplies and there is no direct mention of the castle at all. It is quite possible that Dumfries fell temporarily into Scottish hands – nearby Caerlaverock was already held by the enemy. This might also explain why Clifford found it impossible to find supplies: Lochmaben was surrounded by a hostile countryside and could only maintain its position via the road to Annan and the river-link with Carlisle.

The spring of 1299 witnessed yet another change of English military personnel: on 25 May the earl of March was replaced as captain of the eastern

garrisons by Sir William Latimer, who brought one hundred men-at-arms to his new job.[65] At the same time, Sir Robert FitzRoger seems to have volunteered to take on the keepership of the eastern march, a post that was kept separate from control of the garrisons, unlike the west. Both these men were extremely experienced, having served in similar positions in the northern counties of England; in both cases, also, a respite for distraint for their debts owed to the English exchequer was granted, perhaps indicating why they finally find it worthwhile serving in Scotland.

Clifford staggered on in his office throughout the summer, supported by Sir Simon Lindsay, captain of the Esk Valley, and, from 23 April onwards, by Sir Richard Siward, the great house builder, as warden of Nithsdale.[66] Their job was becoming increasingly difficult, given not only the garrisons' vulnerability to attack, but increasing problems with the supply line through enemy activity. By July the situation was pretty grim indeed: on the 31st of that month, Clifford again wrote to Abingdon at Carlisle requesting payment in either money or victuals for Richard le Bret, an Irish hobelar at Lochmaben employed to spy on the Scots 'by night and day, who has been on duty for six weeks and three days, lest he takes himself off for lack of sustenance'.[67] Admittedly the Irish serving in Edward's armies (excluding nobles, of course) tended to be bottom of the list for payment but le Bret's situation was far from untypical: only a few weeks later the entire Lochmaben garrison apparently threatened to leave if they did not receive their full wages.[68] Unsurprisingly, Clifford was soon writing to the king asking to be relieved of his wardenship.

The Scots were ultimately responsible for this situation. At the beginning of July the south-eastern garrisons seem to have expected an attack. However, Latimer was soon busy organising a large expedition to Galloway, perhaps in response to the deteriorating situation in the south-west indicated in Clifford's letters; a force of forty-three men-at-arms and three hundred and twenty-two footsoldiers had thus mustered at Carlisle by 18 July.[69] Unfortunately, this is the last reference to payment for these troops and the expedition probably did not take place. The threat had not disappeared, however, and preparations were made at Lochmaben to repel an expected attack by the earl of Carrick (whose father's castle it was) as late as 14 August.[70]

The fact that Latimer was in charge of this expedition is extremely revealing, since Clifford should certainly have been responsible for any English activity in Galloway. Though his letter to Abingdon of 31 July indicates that he was at Lochmaben on that date, Sir Robert was probably away for the rest of the month, perhaps having gone to petition the king personally. Unfortunately he could not be released from his duties immediately, because Edward wanted to wait until his own arrival in Scotland to make a new appointment. However, by 19 August Sir Ralph FitzWilliam, another stalwart of the defence of the north of England and a member of Latimer's aborted expedition, had finally been given the job of lieutenant in the west.[71]

The military situation was perhaps also affected by the fact that on 18 July 1299 King John was released from the Tower of London, where he had been lodged since 1296, into papal custody. This was a very positive sign of favour towards the Scots. Indeed, it was construed as such a categorical change in Balliol's fortunes that Robert Bruce of Annandale was constrained to send a letter to the pope via the bishop of Vicenza, who received the exiled king on Boniface VIII's behalf; despite the fact that the earl of Carrick remained a guardian, the elder Bruce had certainly not given up his claim to the throne and took a pretty dim view of papal support for Balliol.[72] So, of course, did Edward.

The English government continued to take the situation north of the border very seriously, calling a meeting to be held at York on 1 August 1299 between the bishop of Durham, Sir Henry Percy, and the earl of Lincoln, as Edward's representatives, and those most immediately involved in Scottish affairs on both sides of the border. Yet again, however, events overtook these plans and the meeting was almost certainly cancelled; those on the 'front line' doubtless had no time for discussions in York as they were constantly required at their posts. Sir John Kingston, constable of Edinburgh castle, indicated in a letter of 9 August to the English treasurer at York, Walter Langton, that he was unable to come to him: the Scots, including John Comyn, earl of Buchan and cousin of the guardian, William Lamberton, bishop of St. Andrews, 'and other earls and great lords' who had been north of the Forth, had reached Glasgow on that same day [9 August], 'and they intend to go towards the border, as is reported among them and their people who are in the Forest [Selkirk]'.

Kingston also had a warning for Langton about the keeper of Selkirk Forest, Sir Simon Fraser. This Scotsman had been captured at Dunbar but had redeemed himself in Edward's eyes by exemplary service on the 1297 campaign in Flanders. On his return to Scotland, Fraser had been restored to his lands and appointed to the above office, traditionally held by his family.[73] He was apparently now on his way to York with news of the enemy's approach, an unnecessary dereliction of duty, according to Kingston, since the south-eastern garrisons could certainly prevent any incursions if they had sufficient warning. However, 'it was reported that there was a treaty between [the Scots] and Sir Simon'; it was further implied that Fraser had attempted to draw men away from the Edinburgh garrison, whereupon the Scots had surprised the castle, capturing one of its knights. With classic understatement, Kingston remarked: 'Wherefore I fear that he is not of such good faith as he ought to be'.[74]

Fraser certainly felt the need to procure a letter dated 31 July 1299 from an official at Berwick, vouching for his diligence and loyalty in the discharge of his duties.[75] It is impossible to know exactly what game he was playing – perhaps he was a double agent, or merely uncomfortable in Edward's

administration, particularly if the English grip on the south-east was looking vulnerable. Kingston certainly noted 'rebel' activity as near to his castle as Penicuik, only eight miles away. The support of the local populace was vital to the English garrisons. However, this support would have been largely dependent on the latter's effectiveness in persuading the Scots within their jurisdiction that they were both willing and able to allow them to live their lives as normally as possible.

Kingston's letter to Langton probably provoked the latter to write to English officials along both sides of the border on 19 August. No-one really knew exactly where the Scots would attack, but it was known that they were targeting unharvested crops, prompting the Treasurer to order the immediate collection of all unreaped grain for safe keeping. The threat was apparently so dire that 'our people cannot resist since they have nothing to eat'.[76] Of course, the Scottish inhabitants of these areas were equally affected by this scorched-earth policy though it is harder to tell who they would ultimately blame – King John's men for inflicting it or King Edward's men for failing to prevent it.

A letter from Sir Robert Hastangs at Roxburgh on 20 August 1299 finally provided a clearer picture of the enemy's movements. On 13 August[77] Sir Ingram d'Umfraville and others harried Fraser in Selkirk Forest. They then awaited the arrival of 'the great lords of Scotland', namely Lamberton, the earl of Carrick, the earls of Buchan, Atholl and Menteith, Sir John Comyn, 'the son', and James the Steward.[78] Conflicting rumours continued to circulate, however, since the Lochmaben garrison expected a raid by Carrick around this same time.

There was some cheer for the English garrisons, though. The Scottish leaders, gathered in apparent safety in Selkirk Forest, had intended to launch an attack on Roxburgh. However, on discovering the strength of the town's defences, they decided 'that they could make no exploit without great loss of their troops'. The safety measures instituted by the ordinance of 11 June were sufficient. The Scots then 'kept quiet' until the following Wednesday (19 August), when they held a meeting at Peebles, by which time Hastangs had a spy among them. His news was most uplifting because that meeting revealed clearly the deep rifts within the Scottish political community. Though the ostensible reason for the fracas that broke out was Wallace's intended trip to the continent without the guardians' permission, this was really an eruption of the Bruce/Comyn feud which the appointment of a representative from each family to lead the Scottish government had not diminished.

As is so often the case, it took an external threat to bring these militant factions to heel. News arrived that Sir Alexander Comyn, brother of the earl of Buchan, who, for reasons that will probably remain forever unclear, fought for King Edward, and Lachlan MacRuari were busy devastating the north of Scotland. It was quickly agreed that the bishop of St. Andrews should become chief guardian, with control of Scottish castles, while Comyn and Carrick

remained uneasily in office with him. However, while the problems caused by this political divide are certainly significant, it is important not to overstate its effects. The Peebles council ultimately displayed a degree of confidence which contrasts markedly with the despondency prevalent among Edward's officials. The Scots were bold enough to appoint Sir Ingram d'Umfraville as sheriff of Roxburgh and Sir Robert Keith as warden of Selkirk Forest, offices currently held for Edward by Sir Robert Hastangs and Sir Simon Fraser respectively. Keith and Umfraville were reportedly to have command of a force numbering one hundred men-at-arms and fifteen hundred footsoldiers – a huge force by Scottish standards – excluding the men of the Forest, to cause havoc along the border. Hastangs assured the king that this was no idle threat 'because each great lord has left a part of his troops [*gentz*] in the company of the said Sir Ingram'.[79] Roxburgh castle may have provided sufficient protection for the English garrison but this intelligence seriously calls into question the sheriff's ability to function with any degree of confidence beyond its walls.

Meanwhile, Sir Simon Fraser found it politic to remain in the English camp. Sir Robert Keith was certainly no mere token keeper of Selkirk Forest, given that Fraser spent from 4 September 1299 until 12 June 1300 in a Scottish prison, though the circumstances of his capture are unknown. Of course, this could have been an attempt by the Scots to avert suspicion in order to maintain their man in Selkirk Forest; however, such a conspiracy theory is rendered less likely by the fact that Keith's brother, Edward, claimed to be heritable sheriff of Selkirk through his wife, Isabella Sinton, challenging Sir Simon's own position in the area.

After, the winding-up of the Peebles meeting, the Scottish nobility departed for their own estates, though Lamberton remained at his episcopal house at Stobo near Peebles, again underlining the limited nature of English control even in the south-east. The danger from the Scots was certainly far from over. On 21 August 1299, John Sampson, constable of Stirling castle, lost a horse 'when William Wallace came to take away our supplies'. Admittedly, Sampson was not sure of the year, describing it as taking place on 'a St. Bartholomew's day [21 August]'. However, it is unlikely to have been 21 August 1298 since Stirling castle had been victualled only a couple of weeks earlier, and Wallace was abroad by the end of 1299.[80]

Meanwhile, Sir Ralph FitzWilliam was en route to relieve Sir Robert Clifford, arriving at Carlisle on 30 August with his contingent of two knights and ten esquires, a clerk and nine footsoldiers.[81] However, FitzWilliam had even less stamina for the office than the previous incumbents. Despite organising another expedition into Galloway during September (which, again, probably didn't happen), the orders for his recall had been issued by 12 November.[82] Though there is no evidence that FitzWilliam followed the time-honoured tradition of begging to be relieved of his office, it is likely that he simply could not afford to fulfill his duties properly. He certainly had an

impressive record of service, mostly in northern England, both before and after his brief stint as lieutenant. Unfortunately for the stability of the English position in the south-west, no replacement was appointed until 5 January 1300.

At a time when there was no governor of Scotland as a whole, the two lieutenants of the eastern and western marches, the former based at Berwick and the latter at Carlisle or Lochmaben, in conjunction with the receivers, Amersham and Abingdon, formed the basis of the English administration of Scotland. Sir Robert Clifford, despite his continuing commitment to Scottish affairs, obviously did not relish this responsibility. However, his resignation in July/August 1299, and the uncertainty which this caused at a time when the Scots were intensifying their activities, was unfortunate. This was certainly not helped by the fact that FitzWilliam lasted just over a record-breaking two months in the job. It is also significant that both expeditions planned for Galloway seem to have failed to take place, suggesting that the area was still an English no-go zone.

The Scottish garrison at Caerlaverock remained a constant threat despite the death of its constable, the Steward's nephew, Robert Cunningham, during an attack on Lochmaben; accounts indicate that the English garrison there lost one hundred and sixty-two footsoldiers during the period from 28 September to 19 October; a further hundred then 'disappeared' between 20 October and 19 November. This left only forty men, excluding the men-at-arms. Certainly the Scots can't be given all the credit – lack of resources must surely also have contributed to the decrease. However, by the time that FitzWilliam departed, Lochmaben was little more than an impotent English outpost. Its constable, Sir Robert Felton, despite his claim to have the Scots under control, and the cheering news of Cunningham's death, was finally forced to admit the need for an English army to subdue the area, begging the king 'to turn his face to Scotland and they will be discomfited'.[83] What was also desperately needed was a man with the taste, ability and resources for both administration and warfare to be warden of the south-west. It was another year before Edward finally got one.

An English campaign was still on the cards, despite the lateness of the season. However, the garrisons couldn't wait much longer to take further precautions. To this end, the construction of three new siege engines, perhaps intended for use against Caerlaverock, was begun at Carlisle in September.[84] On 15 November Sir Richard Siward was ordered to investigate what needed to be done to further strengthen the new pele at Lochmaben after Christmas; the receiver, Master Richard Abingdon, was to go with him so that he could oversee the work once Siward had gone to join the king on campaign.[85]

The more high-profile activities of Edward's military officials should not obscure the fact that the two receivers, Sir Walter Amersham, still ostensibly the chancellor of Scotland, and Abingdon, were at least as busy supporting

those activities. Indeed, Amersham was so overworked that he soon required the services of an associate, Sir John Weston, as receiver. The 'chancellor', who received and accounted for all the money coming to Berwick from the exchequer at York, might thus be better described as treasurer of Scotland. Weston, on the other hand, was in charge of the disbursement and delivery of money and goods within Scotland, primarily in support of the eastern garrisons, together with Sir Robert Heron, the comptroller. Another royal clerk, Sir Richard Bremesgrave, had charge of the store at Berwick.[86]

The flow of money trundling north was alarmingly regular from the English exchequer's point-of-view. On 2 May 1299 £400 for the Berwick garrisons (town and castle), £150 for the Roxburgh garrison and £36 13s. 4d. for the Jedburgh garrison was handed over to the sheriff of York. This money was then transported to Newcastle, where it was delivered to the various constables. It is not clear whether the latter then travelled by sea or overland, though all but the Berwick constables would have had to make part of their journey by road. A further £400 for the Berwick garrisons made the same journey two weeks later.[87] The task of transporting large amounts of coin across the border was undoubtedly both dangerous and time-consuming; it is not difficult to envisage the potential for long delays between wage payments and the muttering in the ranks as a result. As ever with government records, pages of statistics should not obscure the fact that the fates of real men[88] are concealed within them. The one bright spot was the comparative plenty in the Berwick store, which had been supplied by purveyance collected from English counties. Unfortunately this was something of an accident since it had been intended for Edward's planned expedition. More worryingly, it was noted that, despite the careful instructions for its safe keeping, all the wheat was either putrefied or desiccated.[89]

The Carlisle store was similarly flush, again due to purveyance but this time from Ireland. As usual the total actually brought in fell short of that demanded by the king; nevertheless, it was still a substantial amount, including over 10,000 quarters of grain (wheat and oats) and 551 barrels of wine. This revictualling took place just in time, given some of the paltry amounts remaining in the store.[90] Even once some of the provisions had been passed on to English officials in south-west Scotland, the store was comparatively well-supplied at the end of this year's account. The ultimate postponement of Edward's campaign until 1300 therefore effectively reversed the situation of 1298 when the English army and garrisons had the military capacity to maintain lines of supply, but insufficient victuals to feed such large numbers. In 1299 the garrisons were well provided for, since there was no army to feed, but without a large-scale military presence it was difficult to disperse victuals safely.

As at Berwick, there were a number of officials, in addition to Abingdon himself, employed in and around Carlisle specifically to maintain the supply line. The two other fulltimers were Richard Mistone, based at Carlisle priory

to supply flour made from wheat brought from the stores in Carlisle, and Robert Fikeis who had charge of the wine. Nevertheless, despite the construction of a new store in and around the Carlisle castle bailey, the accounts suggest that, once the shipments had come in, Abingdon and his staff had to use all available space in the area, including granaries belonging to local citizens.

A great deal of part-time employment was also created when the provisions arrived from Ireland from May onwards; at least sixty-one men were paid to ensure that these supplies ended up safely stored either in and around Carlisle or at Lochmaben.[91] The possibility of increased employment opportunities, even if only on a part-time basis, is an aspect of this war, as with all wars, that should not be overlooked; while the expense of maintaining the English position in Scotland generally made the conflict unpopular, there were some compensations.

This picture does somewhat contradict the desperate state-of-affairs described by Sir Robert Clifford in July; however, the arrival of ships off Carlisle was by no means the same as the arrival of victuals at Lochmaben. That required more time, luck (with the weather), and good management (in avoiding the Scots). The men-at-arms at Lochmaben, via the two constables (Sir Robert Cantilupe was replaced by Sir Robert Felton during this year), were eventually well-supplied. Payment for the healthy amounts of grain, meat, wine and fish sent to them was presumably deducted from the constables' *certa* without the need for any money to change hands. The same happened with Bruce of Annandale's[92] men (Sir Humphrey Gardinis, Sir Hugh Mauleverer, Sir Hugh Heriz, Sir Thomas Torthorald and their fifteen esquires), who continued to defend Lochmaben for their master, even, if necessary, against his own son. Others, including Clifford himself, Sir Richard Siward and the energetic John Halton, bishop of Carlisle, were granted gifts of victuals, presumably as a reward for their services on the Scottish border.

On the other hand, the footsoldiers hired to defend the new pele seem to have paid cash for their food, which made it imperative not only to maintain sufficient supplies, but also a money supply to pay their wages. Time and again the social mores of the age seem to have ensured that the expendable unmounted soldier was left effectively to his own devices for his survival or at best at the end of a very long queue in which horses came higher; that such treatment might prove counterproductive in terms of overall military strategy does not seem to have been considered.

The financial situation presided over by Abingdon was also comparatively healthy in this year. In total his receipts amounted to £1287, coming from the sale of victuals, a grant from the wardrobe, and issues from Cumberland, Westmorland and Carlisle; his expenditure was only £1122, which left him in credit by (but owing to the exchequer) £165.[93] However, on 23 September Abingdon was promoted to be a baron of the exchequer at York; though he continued officially as receiver, Master James Dalilegh began to take on more

responsibility at Carlisle.[94]

Immediately after Edward's marriage to Margaret of France in September 1299, summonses were issued for a winter campaign in Scotland, a clear sign of the king's impatience to cross the border. The muster was again to be in the east, with the intention of relieving Stirling castle. Sixteen thousand footsoldiers were ordered to assemble at Newcastle by 24 November; those men-at-arms receiving personal summonses were to be at York by the same date.[95]

Rather unsurprisingly, Edward found it difficult to transmit his enthusiasm for spending the winter in Scotland to his army and the muster date was duly postponed to 13 December at Berwick. The new summonses contained the revealing addition that any reasonable form of financial bribery should be used to persuade footsoldiers to serve;[96] equally only the northern counties of Northumberland, Yorkshire, Westmorland, Cumberland, Derbyshire, Durham, Shropshire and Staffordshire were considered worth asking for men. Shropshire and Staffordshire still refused to send any at all, though as the two counties furthest from the border, this is perhaps not surprising.[97] High-ranking government officials, including Sir John Droxford, the keeper of the wardrobe, and the treasurer and justiciar of Ireland, met at York to co-ordinate arrangements for the provision of further supplies.[98]

Edward finally arrived back in Scotland on 13 December. However, despite all the hard work, a mere two thousand five hundred footsoldiers turned up and the only cavalry appears to have been a force of less than forty men serving for a grand total of nine days under Sir John de St. John. A number of esquires did come to Berwick from Yorkshire, having gathered knights and other freeholders at the king's request for the keeping of the Scottish march. They remained there under the command of Sir William Latimer, still captain of the eastern garrisons, from 20 November to 24 December 1299.[99] Any thoughts of an expedition were now completely out of the question and it was abandoned.

The failure to marshal an army, caused partly by continuing attempts by the English nobility to try to limit the king's demands, and partly by the obvious unpopularity of a winter campaign, must have been a bitter pill for the king to swallow. Much work clearly needed to be done; nevertheless, circumstances very similar to those he had experienced in September 1298 prevented not only progress being made, but also, far more importantly, the relief of Stirling castle, which was in imminent danger of falling to the Scots. The king re-crossed the border on 1 January 1300, doubtless a most unhappy man.[100]

Despite the abandonment of the military expedition, a number of key royal officials, including Droxford, Sir Walter Beauchamp, steward of the household, Sir John Benstede, the wardrobe comptroller, and Sir Ralph Manton, the cofferer, remained behind at Berwick; their brief was to 'organise fully the garrisons on the Scottish march and Edinburgh castle' and to arrange

for ships to carry victuals hastily to Edinburgh, from where they would also be distributed to the garrisons at Roxburgh and Jedburgh.[101] From 8 to 20 January 1300 they travelled between the various castles, hearing the accounts of their commanders and assessing the state of the victuals in their stores. This gives us some indication, as shown in Tables 1 and 4, of the numbers maintained at Edinburgh, Jedburgh, Roxburgh and Berwick.

As with 1298, a large force, comprising sixty-five men-at-arms, one thousand four hundred and seventeen archers, twenty-one mercenaries, six serjeants-at-arms and one hundred and five crossbowmen, was maintained in Berwick town. Its role was still presumably to reinforce the other south-eastern garrisons when necessary and to fend off attack from the Scots.[102] Unusually, Dirleton castle, apparently held privately by Sir Robert Maudley since its capture in 1298, was also given provisions from the royal store, probably as compensation for the three months spent by Maudley and his men in the garrison of Berwick town over the summer of 1299.[103]

Having finished their tour of inspection, Droxford and company returned south. Sir Alexander Convers and Sir William Rue, who were responsible for supplying the garrisons of Edinburgh, Dirleton and Stirling, went with them to York to present this year's accounts at the exchequer. War or no war, proper procedure had to be followed. Nevertheless, this veneer of normality coming through official documentation undoubtedly obscures the continuing vulnerability of the English position outwith a very restricted area.

Convers, well aware of his responsibility to keep the Stirling garrison fed and watered, duly hired John FitzWalter, master of the *Godale* of Beverlay, and his crew of six, to take victuals from Newcastle to Berwick, and from there to the castle. The Scots were far from being in retreat, however: on 13 November a letter was sent by the guardians and the community of the realm to King Edward from the Torwood, between Stirling and Falkirk. In it, they offered a truce, to be concluded through the mediation of King Philip of France, an offer which the English king was not yet inclined to take up, not least because he was still planning his campaign.[104]

Some time in December 1299, Ralph Kirby, a clerk at Stirling castle, came to York with three valets 'to reassure him [Edward] of the state of the garrison'. The fact that Edward was still at Berwick (though about to return south) suggests that those at Stirling were effectively cut off from the rest of English-held Scotland. The valets, but not the clerk, remained at York throughout January before returning to the castle. Kirby had meantime gone to Berwick to catch up with the victuals carried there in the *Godale*. Intriguingly, these supplies included large quantities of fish, luxuries such as cheeses and spices, and military hardware, but no wheat, oats and malt; this may mean that the garrison was well-stocked with these basic supplies, or that they were able to procure them from elsewhere, or even that someone somewhere was extremely incompetent.[105]

Kirby was back in York in January 1300, this time to inform the king of the

surrender of the castle. It seems strange that it should have surrendered so soon after being resupplied, suggesting that the garrison was not, in fact, starved into submission. However, Kirby and the *Godale* could easily have arrived too late or been unable to get through. In any event, the constable, John Sampson, handed the castle over to Gilbert Malherbe, the Scottish sheriff of Stirling in return for safe passage for himself and his men, and had reached Berwick by 18 January. They numbered sixty-three, the majority of whom seem to have been men-at-arms.[106] 1299 had indeed been a most unsatisfactory year with no campaign, threats to almost all the English-held garrisons and, to crown it all, the loss of that most strategic of castles, the gateway to the north, Stirling.

Since 1297, Edward's administration in Scotland had faced a variety of problems, revolving primarily around the logistics of conducting a successful campaign, and also, and perhaps more importantly, sustaining permanent forces in those areas brought back under English control. When Edward appointed his sheriffs and garrison commanders in 1296, he had envisaged the role of the Scottish castle as that of the backbone of his administrative system, fulfilling the needs of both the crown and the local community in such areas as justice and defence, as well as symbolising the change of authority. That system had collapsed, through a combination of English highhandedness and Scottish recalcitrance, and even the victory at Falkirk failed to restore it.

The English garrisons in south-east Scotland and parts of the south-west, with the exception of Berwick, sat gingerly on the edge of the communities which they were supposed to administer, isolated from the food supplies of their hinterland and eminently vulnerable to attack. It has been claimed that 'Control of the Firth of Forth lay with the possessor of Edinburgh; control of the Clyde lay at Dumbarton; control of the neck of Scotland itself lay at Stirling. With control of all three and with reasonable vigilance, Edward could hold Scotland'.[107] By these criteria, he clearly did not hold Scotland between 1297 and 1304.

The Scots were aware of the weaknesses of these military outposts, even in the comparatively well-held south-east; they thus sought on every possible occasion to sever the umbilical cord which tied them to England and supplies. Thus, the effects of even a hugely impressive and successive military campaign could be negated in the winter months by guerrilla activities. Nor did the Scots forget the efficacy of terror tactics and, even if they did not actually cross the border in the second half of 1298 and throughout 1299 (and this is not proven either way), it would appear that the communities of the northern counties lived in constant fear of invasion.

This was the basic situation under which both the English and the Scots operated in the following years. It was not entirely a stalemate – Edward was utterly determined to win this war and it cannot be denied that he made steady, if uninspired, progress in extending English control throughout the

south-west, in the following years. It should not be forgotten either that intense diplomatic initiatives were engaged upon by both sides and that these had a profound effect on the progress of the war in the field. Nevertheless, the confidence exhibited by the Scots, in such sharp contrast to the timidity of 1296–7, should remind us that they certainly did not believe English victory was inevitable. Equally, it must be recognised that, while Edward could not conceive of any outcome other than success, he faced considerable difficulty in persuading the English nation in general, and potential royal officials in particular, of the desirability of throwing any more time, money and resources at 'the Scottish problem'. This was not a situation likely to improve as the years went by.

NOTES

1 E101/6/30, m. 1; *Itin.*, p. 119; *CCR, 1296–1302*, p. 201.
2 *Parl. Writs*, i, pp. 312–6.
3 E101/12/17; C47/2/20; Prestwich, *Edward I*, p. 429.
4 *Parl. Writs*, i, pp. 309–312; Gough, *Scotland in 1298*, pp. 124–5.
5 *CPR, 1292–1301*, p. 335.
6 E101/6/33, m.5.
7 E101/552/2.
8 J. Lydon, 'The Years of Crisis, 1254–1315', in *A New History of Ireland: Medieval Ireland, 1169–1534*, ed. A. Cosgrave (Oxford, 1987), p. 199.
9 Gough, *Scotland in 1298*, p. 124.
10 *Ibid.*, pp. 125–6; E159/71, m.46.
11 C47/2/117.
12 *Guisborough*, p. 326; Gough, *Scotland in 1298*, p. 25.
13 See above, p. 54.
14 Stevenson, *Documents*, ii, p. 334.
15 Gough, *Scotland in 1298*, pp. 102, 107.
16 *Parl. Writs*, i, pp. 310–1.
17 *Guisborough*, p. 323; *Itin.*, p. 123.
18 *Rishanger*, p. 186.
19 *Guisborough*, p. 326.
20 E101/12/17; E101/7/9; C47/2/17; E101/597/3; Gough, *Scotland in 1298*, pp. 98–9.
21 *Ibid.*, p. 129.
22 See *Guisborough*, pp. 325–7 and *Lanercost*, p. 191 for contemporary descriptions of the battle.
23 *Ibid.*, p. 192.
24 E101/12/17; C47/2/20.
25 Stevenson, *Documents*, ii, pp. 301–4; *Itin.*, p. 125.
26 *Rishanger*, p. 188; *Guisborough*, pp. 328–9; *Lib. Quot.*, p. 101; *Itin.*, p. 126; *CDS*, ii, no. 1005; *CDS*, iv., Appendix 1, no. 7.
27 Guisborough calls him Sir Thomas but no such person appears in the

records for this period while Sir Hugh Bisset was certainly active in Edward's service.

28 *Guisborough*, p. 329.

29 Prestwich, 'Colonial Scotland: The English in Scotland under Edward I', in R. Mason (ed.), *Scotland and England, 1286–1815* (Edinburgh, 1987), p. 8; Prestwich, *Edward I*, P. 483; *CDS*, ii, no. 1009; Barrow, *Bruce*, p. 104.

30 Gough, *Scotland in 1298*, p. 173.

31 Stevenson, *Documents*, ii, pp. 313–4; E101/554/8/23.

32 Stevenson, *Documents*, ii, p. 332; E101/7/1, m.6.

33 R.R. Davies, *The Revolt of Owain Glyn D[i_ŵ]r* (Oxford, 1995), pp. 251–2.

34 *Wyntoun*, p. 348.

35 The figures for these graphs came from a variety of sources They do not include other members of the garrisons, such as masons, carpenters, bakers etc.. It has also not been considered worthwhile to present graphs of those garrisons, such as Lochmaben and Dumfires, for which information is insufficiently full. They should be used, therefore, only to give a rough comparison of the numbers in each and the variations over time.

36 *CPR, 1292–1301*, p. 351; Stevenson, *Documents*, ii, pp. 329–30.

37 *CPR, 1292–1301*, p. 387; Stevenson, *Documents*, ii, pp. 336.

38 *Ibid*., p. 331; *CDS*, ii, no. 1026.

39 E159/72, m. 12.

40 *CPR, 1292–1301*, p. 387.

41 *CDS*, iv, no. 1773, p. 361.

42 Stevenson, *Documents*, ii, p. 339.

43 *Ibid*., pp. 343–9.

44 E101/7/9.

45 E372/144.

46 *Facsimiles of the National Manuscripts of Scotland*, ed. W. Gibson-Clark (London, 1867–71), part 1, p. xiv; *Highland Papers*, ed. J.R.N. Macphail (SHS, 1914–34), ii, p. 131; Stevenson, *Wallace Docs*., no. xv.

47 Barrow, *Bruce*, p. 95; Favier, *Philippe le Bel*, pp. 227–31.

48 E101/362/18/64.

49 *CPR, 1292–1301*, p. 418.

50 F.M. Powicke, *The Thirteenth Century, 1216–1307*, p. 630.

51 Stevenson, *Documents*, ii, pp. 350–355.

52 Sir Nicholas Harris Nicolas, *A History of the Royal Navy from the earliest time to the wars of the French Revolution* (London, 1847), i, pp. 294–5.

53 A portion of land comprising a dwelling-house and its associated buildings.

54 E101/7/24.

55 *Highland Papers*, ii, p. 131.

56 Barrow, *Bruce*, p. 105; *CPR, 1292–1301*, p. 466; *CDS*, ii, nos. 1066, 1108; *CDS*, ii, no. 1949. 22 April, when Patrick, earl of Dunbar, Edward I's

captain of the south-eastern garrisons, and Sir John Kingston, constable of Edinburgh castle, were ordered to investigate Sir Herbert's activities, presumably soon after his capture, is one of the few dates we have to give some kind of timescale for the Scottish siege of Stirling and the truce, which Morham organised.

57 This is not a theme explored in, for example, Professor Contamine's seminal work, *War in the Middle Ages*, compared with Professor Rhys Davies's *The Revolt of Owen Glyn Dwr*, where the situation in Wales clearly provides parallels with Scotland.

58 See above, n. 37.

59 E152/72, m. 8.

60 R.A. Brown, H.M. Colvin & A.J. Taylor (eds.), *The History of the King's Works in Scotland*, volume i *The Middle Ages* (1963), p. 563; *Guisborough*, p. 294.

61 E152/72, m. 21.

62 Stevenson, *Documents*, ii, pp. 375–6.

63 *CDS*, ii, no. 1057.

64 Stevenson, *Documents*, ii. pp. 333–5.

65 *Ibid*., ii. pp. 329–30; *CPR, 1292–1301*, p. 387.

66 Stevenson, *Documents*, ii, p. 331; *CDS*, ii. no. 1026; *CPR, 1292–1301*, p. 409.

67 *CDS*, ii, no. 1064. A hobelar was so-called because of the small sturdy pony, known as a hobby horse, on which he rode. Edward I had been impressed by their use on the rough terrain which was injurious to the finely-bred warhorses on which the English cavalry generally rode: see Prestwich, *Edward I*, pp. 513–4.

68 E101/7/23/19.

69 E101/7/20, m. 8; m. 3.

70 E101/7/23, m. 19.

71 E101/7/23/19; *CDS*, ii, no. 1088; E159/72, m. 102; *CPR, 1292–1301*, p. 387.

72 Barrow, *Bruce*, p. 95; *The Gascon Calendar of 1322*, ed. G.P. Cuttino, Camden Third Series, vol. 1xv, (London, 1949), no. 131.

73 Barrow, *Bruce*, p. 106; *SP*, vii, pp. 420–2.

74 Stevenson, *Documents*, ii, pp. 301–3.

75 *Ibid*., ii, p. 302, footnote 1.

76 E159/72, m. 102.

77 The document, which is faded in several parts, reads 'on Thursday next . . . past', which has to be 'on Thursday next *before* the assumption of our Lady past', that is, 13 August, otherwise the events which Hastangs goes on to describe would have taken place after his letter was written.

78 Despite fading in the manuscript the remaining letters 'le' make it clear that Atholl was the name obscured: see Barrow, *Bruce*, 106, n.99. Comyn is described as 'the son,' though there is no reference to his father after 1298,

implying he was dead.
79 *Facsimile of the National Manuscripts of Scotland*, ii, no. viii.
80 *CDS*, ii, no. 1949.
81 E101/7/20, m. 3.
82 *CPR, 1292–1301*, p. 484.
83 E101/7/20, mm. 3–4; *CDS*, ii, no. 1101.
84 E101/7/20, m. 1.
85 *CDS* ii, no. 1005; *CPR, 1293–1301*, p. 455; *CCR, 1296–1302*, p. 288.
86 See, for example, Stevenson, *Documents*, ii, pp. 375–6.
87 *Ibid*., ii, pp. 365–6.
88 References to women are, unsurprisingly, rather scarce.
89 *Lib. Quot*., pp. 117–119.
90 *CPR, 1292–1301*, p. 389; E101/7/20, m. 4.
91 E101/7/20, mm. 3–4; E101/7/20, m. 8.
92 This is Robert Bruce (VI), son of the Competitor and father of the earl of Carrick.
93 E159/72, mm. 16, 78, 82.
94 *CPR, 1292–1301*, p. 438.
95 *Parl. Writs*, i, pp. 323–5; *CDS*, ii, no. 1092.
96 *CCR, 1292–1302*, pp. 372–4.
97 *Lib. Quot*., p. 208.
98 *Ibid*., p. 55.
99 Prestwich, *Edward I*, pp. 183–4; *Lib. Quot*., p. 114.
100 Prestwich, *Edward I*, pp. 483–4; *Guisborough*, p. 324; *Itin*., p. 149.
101 This is a rather curious arrangement since it rendered three south-eastern castles dependent on the unreliable shipment of victuals up the Forth, not to mention the fact that Roxburgh and Jedburgh were a considerable land journey away from Edinburgh. In practice, however, the evidence suggests that both garrisons continued to be supplied direct from Berwick.
102 *Lib. Quot*., pp. 145–8.
103 Stevenson, *Documents*, ii, pp. 401–2.
104 *APS*, i, p. 454; *CDS*, ii, no. 1109.
105 *Lib. Quot*., pp. 143–4.
106 *Ibid*., p. 147; Prestwich, *Edward I*, p. 502; *CDS*, ii, no. 1949; Barrow, *Bruce*, p. 105.
107 A.Z. Freeman, 'Wall-breakers and river-bridgers; military engineers in the Scottish Wars of Edward I', *Journal of British Studies*, 10 (Chicago, 1971), pp. 3–4, quoted in M.A. Haskell, 'The Scottish Campaign of Edward I, 1303–4', M.A. thesis, University of Durham (Durham, 1991), p. 13.

CHAPTER FOUR

STALEMATE

THE start of the new century did not, initially at least, appear to promise better things for Edward's reconquest of Scotland. Indeed, the Scots, buoyed up with their success at Stirling, probably went on to besiege Bothwell, another outwardly impregnable fortress; its constable, Stephen Brampton, later complained bitterly to the king that he and his men endured fourteen months of siege, after which they languished for three years in a Scottish prison.[1] If the sieges of Stirling and Bothwell happened consecutively, then the latter probably fell in the spring of 1301, around the time that Edward was planning that year's campaign. They could, of course, have taken place concurrently but this seems less likely when one considers the resources needed to maintain a Scottish army for that length of time without its size becoming the butt of jokes on the battlements. Even so, the ability of the Scots to reduce such strongholds is quite remarkable, though their success probably says more about the English inability to save them.

There were some good omens for the English, however. On 5 January 1300 the issue of the wardenship of the western march was finally resolved with the appointment of Sir John de St. John to that office. As with Clifford, the area over which his jurisdiction extended was much greater than that originally conferred on Sir Henry Percy. St. John was now captain and royal lieutenant 'over all the men-at-arms and all affairs of arms, both of cavalry and infantry' in the sheriffdoms of Cumberland, Westmorland and Lancashire, in Annandale itself, and the whole Scottish march as far as the western boundary of the sheriffdom of Roxburgh, the beginning of Sir Robert FitzRoger's jurisdiction. On the other hand, we should not forget that the Scots had their own warden of the western march, Sir Adam Gordon.[2]

St. John was also given certain confidential instructions. On 25 September 1300, having presumably fulfilled them, he was paid £433 12s. for 'secret expenses made by him by order of the king and council . . . on 5 January [1300]'.[3] These were presumably expended on activities intended to establish English control more effectively throughout the western march. The element

of secrecy, and therefore of surprise, was an extremely effective weapon in this war.

Sir John de St. John was a most important acquisition as royal lieutenant. Although a soldier, like Surrey and Clifford, he was also a proven administrator, having served as Edward's governor of the duchy of Aquitaine (Gascony) at a time when relations with Philip of France reached their nadir. On the outbreak of war between England and France in 1294 over the status of the duchy, St. John led the advance guard, along with the king's nephew, John of Brittany. Despite the failure of forces to arrive from England, thanks to the outbreak of rebellion in Wales, they were remarkably successful in containing the French until a counter-offensive forced them back. In 1297, however, St. John and many of his battalion were captured by the French and Edward's lack of credit worthiness meant that the £5000 ransom was not raised until 1298; he made it home just in time to join the king for the Falkirk campaign.[4] Sir John was not merely competent, however: the chronicler, Walter of Guisborough, states explicitly that his rule of the duchy had been popular.[5] A man of this calibre was sorely needed in Scotland.

St. John could also still call on the services of Sir Robert Clifford, still denied access to Caerlaverock; he agreed to serve in the new warden's company from 2 January to 24 June 1300 for the handsome sum of 500 marks. Clifford and his men were also permitted to stay in the houses that he had had newly-built in the new pele of Lochmaben 'without dispute from anyone'. However, he was not allowed to go off on his own business unless St. John agreed and then only if enough of his men-at-arms were left behind. On the other hand, if he couldn't maintain his own retinue fully, he could leave freely or else reduce the numbers, with a corresponding deduction in payment.[6] The safety of the garrison was absolutely paramount but, on the other hand, there was no point in forcing service out of those who had no wish to be there. Ultimately, as Clifford well knew, it was the warden's job to maintain an effective fighting force, despite the difficulties in providing both wages and food supplies.

There was to be no honeymoon period for the new warden. At the same time as news of St. John's appointment reached them, the men under his jurisdiction were ordered 'to hold themselves in readiness to be at Carlisle, properly appointed,[7] within eight days of their summons'.[8] Though we have no direct evidence for their subsequent activities, the king did make offerings in the chapel of Westminster on 14 February 'because of good' – but unfortunately unspecified – 'rumours in Scotland'.[9] The next day, St. John was ordered to maintain at royal wages twenty or thirty men-at-arms (presumably in addition to Clifford's thirty) and as many hobelars (soldiers on small ponies) as he thought necessary. The use of hobelars, still an unusual occurrence outside Ireland, was wisely seen by the king as crucial in getting to grips with the difficult terrain of Galloway particularly.[10]

By 1 March St. John was engaged in a military offensive against the

'rebels' operating within his jurisdiction. As ever, Abingdon was also placed on red alert at Carlisle, not least because if any castles were captured, or surrendered voluntarily, and it was thought advisable to place an English garrison in them, the receiver was to cover the costs of provisioning them with men, victuals and equipment.[11] The eight-days' summonses were presumably issued at this time, although the power given to St. John and Abingdon on 1 March to punish those who failed to turn up may well be evidence of an understandable war-weariness among those being called upon to fight constantly in Scotland.[12]

Within two weeks one success can certainly be inferred. On 11 March 1300 offerings were made in the chapel of Berwick castle 'because of good rumours heard from Scotland';[13] a few weeks later, on 24 March, Sir John Dolive was granted the royal castle of Dumfries. We can therefore presume that this castle had been successfully restored to English control. This was much better news indeed! At the same time, Sir John de St. John was permitted to retain John le Skirmisher and his crew with their galley to victual Dumfries castle. However, silence fell upon St. John's activities until 22 April when Sir Thomas Borhunte, one of the warden's knights, arrived at Westminster 'hastily from parts of Scotland'; fortunately, another messenger arrived on 30 April 'to reassure him [the king] of the state of the march', implying perhaps that a Scottish counter-offensive had been repulsed.[14]

Meanwhile, the struggle to maintain the supply line continued unabated. On 2 May 1300, Edward wrote to his treasurer, Walter Langton, at York, informing him that he had heard from St. John that the victuals at Carlisle were almost all gone. Langton was therefore to arrange immediately for the purveyance being gathered for that year's campaign in Ireland to be sent as quickly as possible to Carlisle. The Scots were still engaged in a war of attrition against the English garrisons, attacking their lines of supply to make the most of victualling difficulties.[15] St. John and his men were not out of the woods yet.

Sir Robert FitzRoger's position as captain and lieutenant of Northumberland and of the garrisons of Berwick and Wark was confirmed on 1 March 1300, but only for another two months. Yet again all was not well on the victualling front: it was stated in no uncertain terms that '. . . it is necessary to have come to Berwick a great store of victuals and other things needed for the support of the men who are staying there and elsewhere in our service for the keeping and defence of the said marches'.[16]

When FitzRoger's current contract ran out on 30 April, the king ordered that he was to be persuaded to remain until 23 December. Whatever the inducement, it wasn't enough: he stayed only until 23 June and no replacement was appointed until around 29 September, when Sir William Latimer was once more described as keeper of Berwick town and warden of the march. Sir Walter Teye was appointed to the former office during the

interim but probably had been, and continued to be, in charge of the Berwick town garrison even while the warden technically held that office. Certainly he and FitzRoger had jointly been responsible for the payment of troops in the Berwick garrisons in December 1299.[17] The overlapping command structure apparent throughout the English administration probably reflects the need for a number of officials to share these considerable responsibilities, especially since the senior official (warden or receiver) might often need to be elsewhere.

Expeditions against the Scots were not confined to the western march; the Scottish contingent left in the south-east under Umfraville and Keith was still a force to be reckoned with. In April 1300 a skirmish took place at Hawick and five horses belonging to various members of the south-eastern garrisons were killed, though unfortunately we have no idea of the damage inflicted on the Scots.[18]

Despite such activities, this Scottish force was probably intended merely to contain the English garrisons there and maintain access to and from Selkirk Forest; the real theatre of war, for both sides, was now firmly the south-west, and Galloway in particular. Sir John Kingston, at Edinburgh, provided yet more bad news of Scottish activities, this time to sir Ralph Manton, the royal cofferer, who was becoming increasingly involved in Scottish affairs. The worst came first: on 10 May 1300 a Scottish parliament was held at Rutherglen. The ability of the Scottish government not only to hold such an event, but to do so that far south was concrete proof that Edward's was not the only administration in Scotland; it was arguably not even the more successful.[19]

Fortunately, there was good news, from the English point-of view, on the faction-fighting front. A serious quarrel had broken out yet again, this time between the obligatory John Comyn and his senior guardian, the bishop of St. Andrews. Lamberton was supported by the Steward and the earl of Atholl, traditionally Bruce supporters; Carrick himself was nowhere to be seen. The upshot of it all, and presumably the source of the quarrel, was that Sir Ingram d'Umfraville, a Balliol-Comyn man, was chosen as guardian. Bruce no longer seems to have occupied that office, ensuring that the Comyn faction now had almost complete control of Scottish government. It is quite possible that the eclipsing of Bruce and his supporters caused problems in terms of commitment to the war-effort, even if no-one actually changed sides – yet; nevertheless subsequent events suggest that the dominance of one group minimised the need for consensus politics and allowed policy/strategies to be executed more quickly. Men like Atholl and the Steward continued to play a role in Scottish government after Carrick's withdrawal from power, suggesting that, casting aside hindsight, the Bruce star was considered even by them to be on the wane and Carrick himself was by no means central to Scottish politics.

Of more interest to the English, however, was the news that the earl of Buchan could not attend 'because he was away in Galloway to treat with the

Galwegians'. The Rutherglen parliament was therefore adjourned until 17 December, to be held in the same place, 'on which day the earl of Buchan and all the great Scotsmen will be there with their power'.[20] The Galwegians had a longstanding antipathy towards the centralising tendencies of the kings of Scots; thus, although they joined Wallace during his raids on northern England, their presence was primarily inspired by a traditional interest in such warfare.

Edward himself had recognised the uses to which this separatism might be put, releasing Thomas of Galloway, illegitimate son of the last Celtic lord of Galloway, and issuing a charter of liberties for the region in 1296. Thomas, who had been in prison in the Balliol stronghold of Barnard Castle, was thus being used to underline John Balliol's loss of the lordship of Galloway, as well as the kingdom itself.[21] Most of the region's important families, such as the MacCans and the Macdoualls, tended to side with Edward after 1296, though it is ironic that he should be regarded as their best hope for regional autonomy. Nevertheless, this is not the same as saying that the English actually controlled this inaccessible part of the country.

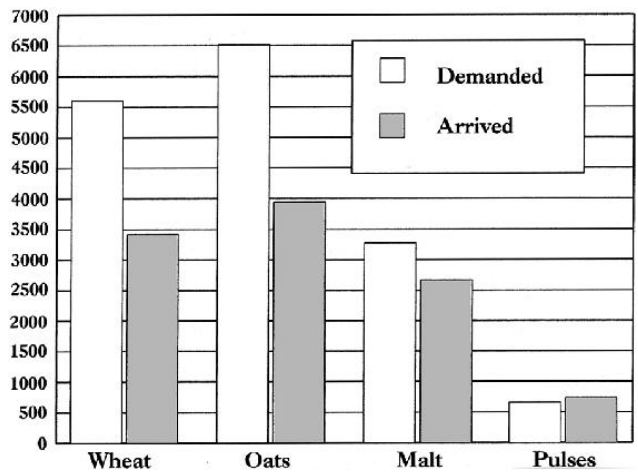
The fight for Galloway was therefore just as important to the Scots as it was to Edward. The Bruce lands of Annandale, together with the rest of Dumfriesshire, were coming increasingly under effective English control. The capture of Caerlaverock, which had been planned as far back as August 1299 with the making of siege engines for that purpose, would make that control secure. On the other hand, if Caerlaverock remained in Scottish hands, Dumfries and Lochmaben would continue to operate as mere outposts of English-occupied Scotland and the conquest of Galloway would still elude Edward.

Almost immediately upon his return from his frustrating sojourn at Berwick, Edward set the wheels in motion for the next campaign. This was intended to tackle the three main areas of difficulty which had emerged for the English in southern Scotland: Caerlaverock, Galloway and Selkirk Forest. Demands for purveyance from all over the country went out on 17 January 1300, to arrive at Berwick by 24 June. The large-scale purveyance of victuals had always been unpopular but, after four years of war, resistance was becoming more emphatic. On 2 May 1300 Edward wrote to the treasurer at York, informing him that the 1000 quarters of wheat, 1000 quarters of oats and 500 quarters of malt ordered from the counties of Cambridge and Huntingdon had not been collected because the sheriff of these counties 'has scarcely anything in his hands with which he could make this purveyance' (i.e. he had no money to pay for it). Again, these counties were far removed from the war zone and had every incentive to avoid contributing if they could. Equally Yorkshire, which does not seem to have been asked to contribute in this year (presumably because of the extent of the county's commitment in previous years), nevertheless found 505 quarters of wheat and some small amounts of other goods to send north. As Table 5 indicates, the shortfall

between what the king demanded and what actually arrived was fairly serious.

The collection of these victuals was imperative, however, because, as the king knew from experience, a 'lack of victuals on this journey that we wish to embark on in Scotland would place us in the hands of our enemies or force us to return hastily'. Cambridge and Huntingdon were thus not exempted, though the purveyance was to be made, rather euphemistically, 'to the least grievance of the people'. In the end the county did provide something, though generally only half of what was demanded.[22] Purveyance was also made of the equipment needed to transport these goods to their final destination, from the stores at either Berwick or Carlisle.[23]

Table 5: *Purveyance 1300 – demand and supply*



The writs for feudal service had been sent out as early as the end of December 1299.[24] The total numbers of men-at-arms actually serving the following summer reached the respectable total of around seventeen hundred men-at-arms but a mere thirteen per cent derived from this traditional feudal source. Of these, only the earl of Gloucester, Sir Hugh Despenser and Sir John Hastings actually fulfilled their service in person: '. . . the majority of great men appear simply to have detached some members of their retinue to do it on their behalf, even when they were themselves present on campaign'.

A total of sixteen thousand footsoldiers from Nottingham, Derby and 'the four most northerly counties' were summoned to the muster at Carlisle, but only about nine thousand were actually recruited by the commissioners of array. The Welsh were excused 'because of all the great work which they have done in our service in the past'.[25] Although, this may reflect their alleged disloyalty at Falkirk, the evidence for their service in 1298 alone might also suggest that this was nothing less than the truth. A small contingent of around three hundred and sixty Irish soldiers were also present at the siege of Caerlaverock 'and joined the king in his aimless marching through Galloway'.

Edward had also requested the services of three hundred Irish hobelars, whose suitability for the Scottish terrain he had noted in 1299, but he got only a rather ineffectual fourteen.[26]

As with purveyance, Edward was facing serious problems in keeping numbers up to scratch. The men of the northern counties, who had been on the front line since 1297, were extremely unwilling to serve 'for they were afraid to leave their homes lest they should be devastated by retaliating raiders'. The men of Durham and Yorkshire 'constantly mutinied and deserted'. Only the counties of Lancashire, Derbyshire and Nottinghamshire, and, to a limited extent, Chester and Shropshire, 'seem to have been properly organised and good fighters, and willing to keep the field for more than a few days'.[27]

Finally, the regularisation of the role of the fleet, prompted by its dismal performance in 1298, was now put into practice. Edward I, as usual, played a major role in giving greater coherence to the basic institution which he had inherited. A total of fifty-seven boats of varying sizes was now to be provided annually by the Cinque Ports for a period of fifteen days at their own costs.[28] In 1300 royal accounts show that thirty Cinque Port ships and fifty-nine ships from forty-eight other ports were sent to Scotland. This is also the first year in which mention is made of an admiral – Gervase Alard of Winchelsea. There were also four captains of the fleet, William Pate and Justin Alard of Winchelsea, William Charles of Sandwich and John Hall of Dover.[29] Even if the Cinque Ports did not provide the largest contingent, they maintained control of naval operations.

Various nobles also personally owned ships and galleys which they put at the king's disposal. For example, a safe-conduct was granted in July 1300 to Malcolm le fiz I'Engleys (MacQuillan), who maintained his own private galleys, to allow him to harass the Scots on the western seaboard. MacQuillan, who seems to have had interests, like so many, on both sides of the Irish sea, had been granted Kintyre by Edward in 1296; he thus had every good reason to try to render English control of the north-west a reality, though that was certainly not going to happen in 1300.[30] However, in general far too few individuals displayed an interest in sea-power to play a significant role in Edward's fleet.

The Irish ports of Waterford, Youghall, Ross, Drogheda, Dublin and Cork also had a quota of one ship each to provide as their *servitium debitum*, with the exception of Cork, which provided two. The ships of Drogheda, which port was conveniently situated for Carlisle, figure most prominently in the transportation of purveyance.

This service was likely to become a great burden for some of the smaller ports since, although the quotas were variable in size, the demand had became almost annual. All ships were to be furnished and kept for fifteen days at the expense of the towns from which they were demanded. If a crew comprised a master, a constable and nineteen men (the minimum for a Cinque Port boat),

then the wages alone came to £4 6s. 3d. for each ship, a considerable sum. Quotas of soldiers imposed a similar strain on the shires, but the boroughs must have felt a greater burden since there were fewer of them to provide the service. Equally, as with the shires, the boroughs furthest away from the border must have felt little inclination to shell out for such a far-away conflict. On the other hand, there was money to be made transporting goods both within and without the campaigning season.

As with his armies, the king could not force the ships' crews to remain in his service any longer than the fifteen days which they owed him if they did not wish to do so. In many cases, fifteen days would be enough time only to travel from their ports of origin to the muster point, particularly since many came from the southernmost counties. Even if the mariners did agree to stay on, they would now be at the king's wages; it was becoming increasingly difficult to pay them, as well as the rest of the army, for the amount of time required to make an impression on the areas of Scotland still outwith his control.

Three years into the war, Edward was certainly not having it all his own way either in his martial exploits or on the domestic front. Having been rather let off the hook in 1297, when a full-blown crisis in England was averted by the patriotic backlash provoked by the defeat at Stirling Bridge, the English king still had to bargain for support for the Scottish war. This was particularly true in 1300, when a parliament held in March managed to extract a number of 'royal concessions, known as the *Articuli super Cartas*, which were clearly part of the price that Edward paid for the grant of a twentieth in this parliament.' However, the élites were essentially behind their king now; they were merely concerned that there should be no abuse of the law and that local affairs should be run as effectively as possible.[31]

Edward arrived at Carlisle on 27 June 1300, reaching Caerlaverock on 9 July.[32] He and his army were joined there by a considerable force of up to ninety-three men-at-arms, five hobelars, three crossbowmen and nearly fourteen hundred archers drawn from the garrisons of Berwick town, Roxburgh, Jedburgh and Lochmaben.[33] The south-eastern garrisons lost a total of eight hundred and fifty men from their defence. Although the main area of contention was currently the south-west, there was still a threat to the south-east from Scots operating from Selkirk Forest; the removal of so many men, although doubtless considered necessary, left these garrisons much more vulnerable.

According to the contemporary poem, *Le Siège de Karlaverock*, a total of 'three thousand brave men-at-arms' massed before the castle,[34] though this figure probably owes something to poetic licence. The army was divided into four squadrons under the earl of Lincoln, the earl of Surrey, the king, and the prince of Wales.[35] Within them were a number of prominent members of Edward's administration in Scotland, past, present and future, notably Sir

Henry Percy, Sir Robert Clifford, Earl Patrick of Dunbar, Sir Richard Siward, Sir Simon Fraser, Sir John de St. John, Sir William Latimer and Sir Alexander Balliol.[36]

The siege commenced after the arrival of the navy – 'fortunately', according to the poet – with engines and provisions, again proving that little could be done without this support. However, despite the stirring account of the brave exploits of the army in the poem, it was the skill of the engineers, who bombarded the castle with a constant stream of missiles, which brought about its submission. The Scots apparently held out for a day and a night and until the following day at terce (9 am), when mounting casualties and the fact that the roof had fallen in persuaded them to give up. Around sixty men survived the siege, to be rewarded, again according to the poet, with a new robe each, though royal records certainly make no reference to this.[37] Edward was more in the habit of imprisoning, or worse, any 'rebel' Scots who fell into his hands, while the poet's job was quite clearly to put a chivalric gloss on what was really a rather short and inglorious siege.

The Scottish army was obviously in no position to challenge Edward's army, but it could still harass it. Between 6 and 9 August, the English were attacked at the mouth of the river Fleet, presumably while foraging for food; a number of horses, including one belonging to a certain Piers Gaveston, were killed.[38] The Scots came off worst, however: Sir Robert Keith, Sir Thomas Soules, Robert Baird, William Charteris and Laurence Ramsay were all captured and the king rejoiced that some of his 'worst enemies' were now in an English jail.[39] Presumably Keith and at least some of the force under his command in Selkirk Forest had moved west as the English advanced into Scotland.

The rest of the Scottish army now moved further west and faced the English from the other side of the Cree. The three Scottish cavalry brigades were, according to Rishanger, commanded by Buchan, Comyn of Badenoch, and d'Umfraville. In an action reminiscent of Falkirk, they fled when the English, divided into three brigades under the earl of Hereford, the king, and his son, Edward of Caernarvon, crossed the river. However, the lack of hobelars to pursue them over such rough terrain prevented the English from inflicting greater damage on the Scottish forces.[40]

Edward's original intention was to continue west and then north, since Sir Ralph Manton was sent to Carlisle to enlist more footsoldiers and find extra victuals 'for the passing of the king to Ayr'. In reality the army returned to England, although Edward did cross the border again in mid-October to oversee the construction of a pele at Dumfries, like the one already built at Lochmaben.[41] The lack of resources – both men and supplies – compounded with the lateness of the season were the most likely causes of this change of plan, which included the agreement of a truce. Thus, despite the appearance of an English army in Scotland, and the impotence of the Scots in its presence, Galloway still remained outwith Edward's control. The situation there is made

quite clear in a grant of 11 September 1300, by which Sir John de St. John was given

. . . lands, farms and rents in England to the value of 1000 marks a year, for life or until he can be put in seisin and enjoy the issues and profits of land to that amount in the land of Galloway heretofore granted to him, and which he cannot enjoy at present by reason of the war in that land'.[42]

The failure of the royal army to progress into Galloway put the onus for an expedition on to St. John's shoulders to 'bring to a satisfactory conclusion his [the king's] business in these parts'. Sir Alexander Convers, a royal clerk more usually attached to the south-eastern garrisons, went with the lieutenant between 18 October and 4 November to pay wages, though there is no evidence to indicate how many men took part.[43] The purpose of this enterprise was 'to receive the men of those parts to the king's peace', though surely this was based more on the hope, rather than the firm expectation, that the Galwegians would submit.

Not all the action was in the south-west, however. At the end of August, William Camera (probably one of the Berwick town garrison) lost a horse while in Selkirk Forest with Sir Simon Fraser, suggesting that sporadic expeditions against the Scots using the Forest were still taking place. However, the network of Edwardian officials was further bolstered by a grant of Hermitage castle to Sir Simon Lindsay, already captain in Eskdale and keeper of Liddel castle, on 20 September. The issues of the surrounding area were to be used to 'provide supplies for himself and his men in our service in parts of Scotland'. The castles of Liddel and Hermitage, forfeited by the Soules family, had subsequently been granted to Sir John Wake, who had recently died. Despite the ostensibly private nature of the grant, Lindsay's public service ensured that he was given supplies for the castle from the royal store at Berwick as a gift.[44]

In October two royal clerks were sent to the south-east from the king at Dumfries with instructions for the officials there. Since Sir John de St. John was otherwise occupied in Galloway, they were ordered 'to make some good expeditions upon Selkirk Forest and elsewhere where they think it good and that they exert themselves to do as well as possible so that the king can have good news of them and that they are always busy with what the king has charged them to do'. Despite the disintegration of his army, Edward was determined to maintain the military pressure on the Scots for as long as possible; he certainly could not feel easy about his garrisons in the south-east unless the threat from Selkirk Forest was finally removed.

The clerks were to return to the king to inform him '. . . how they [the constables of Roxburgh and Jedburgh] are undertaking these matters and how they are taking them to heart after they have heard the king's will'. Finally, Sir Richard Bremesgrave, at the Berwick store, was firmly to inform Sir William Latimer, warden of the eastern march, 'that by all means he is to stay

in these parts to attend to these matters and make expeditions on the forest according to the initial plan, as often and as effectively as possible until he gets further orders from the king'. There is more than a hint here that Latimer, like so many before him, did not relish his position; however, Edward was determined that his work should not be undone and was rather desperately trying to inspire his officials to exert themselves.[45]

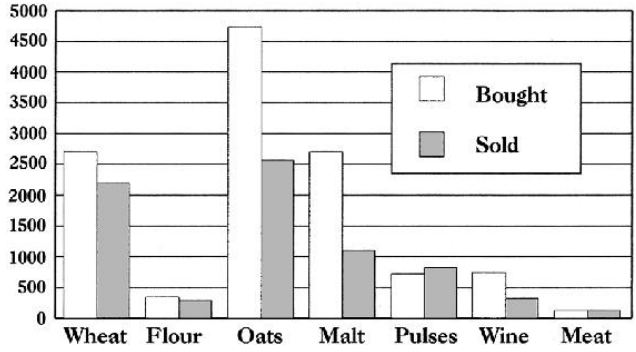
An expedition under Latimer did take place between 26 and 31 October, though there is no evidence that it actually engaged the enemy.[46] Other, more drastic, tactics also seem to have been used: Michael Whitton, the head forester at Selkirk, was compensated on 20 November for having 'recently burned his houses and other property in the forest of Selkirk for the king's service'. It says much for the growing acceptance of the English presence in the south-east that the leader of the foresters, who fought so heroically on the Scottish side at Falkirk, was now with Edward. He was not alone, either – the men under him were considered equally loyal to the English king.[47]

At the same time, Bremesgrave accounted for the movement of goods to and from his store. Even though the army was operating in the west, he received a certain amount of the purveyed supplies, most of which went to sustain the garrisons within his jurisdiction. Table 6 indicates the proportions of foodstuffs brought in, compared with the amounts then sold or given away. In the case of wheat and flour particularly, there wasn't much in it, and more beans and peas seem to have gone out than were actually in the store!

Both Master Richard Abingdon and Sir James Dalilegh, a clerk of sir John Droxford, keeper of the wardrobe, received and issued money, victuals and equipment at Carlisle throughout this regnal year. However, even though there is no clear dividing line, Dalilegh had largely taken over from Abingdon as keeper of the store by August 1300, as the latter became more heavily involved in his exchequer duties.[48] The Carlisle store obviously received most of the purveyance since it had to supply not only the garrisons of Dumfries and Lochmaben, but also the army itself. Table 7 indicates just how hand-to-mouth a task that was.

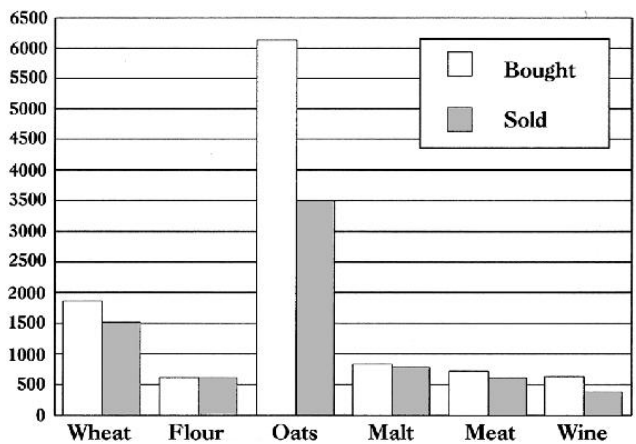
Abingdon, who was still the principal receiver at Carlisle in this regnal year, sold £3247 Is. 1d. worth of victuals, in comparison to Dalilegh's £862 10s. 4d. worth. Bremesgrave's receipts, amounting to £1739 2s. 9d., were naturally less because the campaign was in the west. The receivers thus brought in a combined total of £5848 14s. 2d., which still put them ahead of the cost of the victuals at £4063 2s.[49]

Table 6: *Berwick store, 1300*



Unlike the second Welsh war, when military accounts were kept separately, it is not possible to assess the exact costs incurred by Edward, and England, during his wars in Scotland. However, it is possible for this regnal year, thanks to the *Liber Quotidianus Garderobae*; or Daily Wardrobe Book. The garrisons accounted for the largest part of the year's expenditure at £13,574. Victuals came to £5063. The army which besieged and captured Caerlaverock cost £8,561 in total, and a further £2000 was paid out as compensation for horses lost during the campaign. Thus, out of this year's total wardrobe expenditure of around £64,000, nearly half (£29,198) was spent on the prosecution of the war.[50]

Table 7: *Carlisle store, 1300*



On 30 October 1300, Edward concluded a truce with the Scots, through the mediation of Philip of France, to last until 21 May 1301. This was the first oblique admission on Edward's part that Scotland was far from conquered; it is also generally regarded as an acknowledgement of the failure of the campaign of 1300.[51] Edward agreed to it in principle the previous October, while at Dumfries.[52] English activities in the following months had therefore been geared towards bolstering their position before the truce came into effect.

The truce certainly signifies a degree of failure in Edward's dealings with the Scots; nevertheless, he had made some progress during the campaign of 1300. The fall of Caerlaverock provided security for Dumfries and Lochmaben, even if Galloway itself was still unsafe. Equally, although English garrisons could not make expeditions during a time of truce, they would not lose any ground to the Scots either (although private initiatives on both sides would have been difficult to prevent completely). Edward was always aware of the power wielded by his enormous armies, even if this was largely psychological in nature. Given that he had failed to keep his army together to consolidate his position, the logic of the truce must surely have been to use the gains made in 1300 as the springboard to the final conquest of the south-west the following summer. In the meantime Edward's officials in Dumfries and Annandale were now able to make their presence felt throughout the areas under their jurisdiction: it is no coincidence that Abingdon's account for this year included forty ox carcasses sent by the men of Moffat 'to have peace'.[53]

It now only remained for the garrisons to be paid and their accounts and stores reviewed. Lochmaben, Dumfries and Caerlaverock were visited by no less than the Treasurer of England, Walter Langton, and Sir John Droxford between 14 and 24 November. Sir Ralph Manton was despatched to Berwick, Edinburgh and Roxburgh at the same time.[54] Since this was a period of truce, with (theoretically) no military activity, the numbers in the garrisons, as shown in Tables 1–4 did not need to be as high. Nevertheless, the protection of the south-east was still dependent on a decent-sized force in Berwick town, even if the small standing army had gone. Seven hundred and thirty men served Edward in the Scottish castles held by him (excluding other castles in private hands, such as Dirleton, Liddel and Hermitage) at a total cost of £13 5s. per day. The store at Berwick, without an army to feed, was able to maintain fairly healthy totals in the stores within each of its satellite castles. However, the situation at Dumfries (and presumably Lochmaben) was rather less reassuring, with only twelve barrels of flour remaining, for example.[55]

Since 1298, the exchequer at York had clearly played an extremely important role in Scottish affairs, governing all financial aspects of the administration of the northern kingdom. This role also renders unlikely the existence of a fully-functioning and independent administration in Berwick. However, Sir Ralph Manton, the king's cofferer, was playing an increasingly important role within the Edwardian administration, even if he occupied no properly appointed office within it and many of his activities could be regarded as an extension of his duties as a wardrobe clerk. The most important aspect of these duties was the payment of, and accounting with, the royal garrisons. According to the chronicler, Guisborough, Manton was accused by Sir Simon Fraser of avarice when the two met at the skirmish at Roslin in 1303:

You have betrayed the king who made you treasurer,

And me and many others, of whom not one is acquitted
Of the wages which you owe by reckoning and by writing.[56]

Interestingly, a similar charge was made against Sir Hugh Cressingham, who had officially occupied the office of treasurer. Perhaps both men were unscrupulous in the discharge of their duties, but it is also possible that they were blamed as the messenger, caught within an ever-increasing spiral of debt caused by the war. Fraser, and the other Edwardian military officers, probably viewed the conflict more traditionally, as a route to glory and riches. In reality, as the constant pleas for wage payment and the redundant role of the army at Caerlaverock illustrate rather poignantly, serving in Scotland was both dull and costly.

The truce with the Scots, in operation since 31 October 1300, was due to expire on 21 May 1301. On 1 March 1301 the earls of Surrey and Warwick, Sir Aymer de Valence, Sir John de St. John and Sir Hugh Vere were appointed to 'treat with the envoys of Philip, King of France, touching the rectification of the disobediences, rebellions, contempts, trespasses, injuries, excesses and losses inflicted by the Scots'. This was hardly conciliatory talk.

The meeting was to be held at Canterbury at mid-Lent (around 8 March), but was later postponed until 16 April. On 26 March, safe-conducts were issued to Sir Adam Gordon, Sir John Inchmartin, Master Nicholas Balmyle, the Scottish chancellor, and Master Thomas Bunkle, as the Scottish representatives.[57] However, a week later, the king ordered that, 'having determined not to renew the truce with the Scots', a force was to muster at Berwick under his own command, and another at Carlisle under his son, the Prince of Wales. It is seriously to be doubted that Edward ever intended renewing the truce, since preparations for the campaign had begun as early as February.[58]

On 8 April, with still over a month and a half of the truce to run, the magnates and royal officials of Northumberland were warned to prepare for Scottish attacks on the expiry of the truce, since the king knew 'not what may result from the conference between the Scots and the French ambassadors now taking place at Canterbury'. Edward knew exactly what would result. His refusal to grant an extension of the truce and his desire for a treaty with the French alone meant that a resumption of hostilities was inevitable. On 25 April Edward finally announced that '. . . the *parlance* to have been lately held at Canterbury between his people and those of the king of France on the affairs of Scotland is broken off to his advantage and the great loss of the French . . .'[59]

There was certainly some cause for optimism in the English camp, not least because of the increasing evidence for a partial re-establishment of normal government in certain areas under English control. In 1299 Sir Philip Vernay, keeper of Berwick town, Sir John Burdon, sheriff of Berwick, and Sir Robert

Hastangs, sheriff of Roxburgh, were all able to hold inquests. Two of these were into lands confiscated from 'rebels' and now regranted; in both cases it was also established how much was owed as service to the Berwick exchequer. Even if there was really no exchequer in Scotland, there was clearly an expectation that some issues could now be forthcoming.[60] In the same year, Master Richard Abingdon was able to account for the admittedly small sum of £23 13s. 4d. from the issues of Annandale.[61]

Then, in 1300, the sheriff of Edinburgh, Sir John Kingston, accounted for certain 'receipts of the king's money', including the farms of North Berwick, Tyninghame, Haddington, the town of Edinburgh, Lasswade, Aberlady, Easter Pencaitland, East Niddrie and Lowood, the tolls of Edinburgh town, and the tenth of Inveresk, Lasswade, Roslin, Aberlady, Ballencreiff and Carrington. Other receipts included £16 3s. 4d. as part-payment of a fine owed to the king by the abbey of Newbattle, 30s. from five men of the sheriffdom 'coming to peace', and various other fines. The total received was £66 8s. 3d.. Kingston also received a further £25 from the 'issues of Scotland', namely the farms of Tranent and Seton, and the sale of hides and grain belonging to certain fugitives in Carrington.

He had also been able to buy victuals and equipment for his garrison from the surrounding area. The purchases were mostly of cattle and interesting items such as 'ferrets of Dirleton', while local smiths had also been used to service the mounts of his men-at-arms. With this evidence for the increasingly effective authority of the sheriff of Edinburgh, it is not surprising to find references to 'captured grain', to 'hobelars and archers who were assigned to look after enemies' beasts at Lowood', and, finally, to people returning to Edward's peace.

However, the evidence is not completely one-sided. Although we are certainly not fortunate enough to have fiscal records for the Scottish government, there are some clues to its overall capabilities in the north-east particularly. In 1300, for example, John, earl of Buchan, was able to hold a court in Aberdeen as justiciar of Scotland. John, earl of Atholl, who was in no sense a Comyn man, was named as sheriff of Aberdeen, 'perhaps indicating that a normal peacetime cross-section of interests still prevailed'. More significantly, it emerged once Edward had re-asserted his authority throughout the kingdom that Comyn of Badenoch had, as guardian, 'been able to prosecute successfully two pro-English landowners in the area, one of whom was the earl of Strathearn. Comyn's ability to hold courts and, most importantly, to execute the judgements of these courts, speaks volumes about the success of his regime'. He also seems to have done so independently of his co-guardians.[62] It should be quite clear from the above that the Scots maintained firm control of the kingdom north of the Forth.

On 12 May 1301 Sir John de St. John's appointment as captain and lieutenant of the western march was renewed for the third time, doubtless to Edward's

great relief.[63] Nine days previously, he had been empowered 'to receive the knights and middle men of Scotland to peace, as the king enjoined him *viva voce* [orally]', presumably while the lieutenant was pretending to engage in truce negotiations at Canterbury. On various dates between 5 April and 26 May, Sir John Kingston, Sir Robert Hastangs, and Sir Hugh Audley, perhaps already keeper of Selkirk Forest, were all similarly ordered to admit the 'middle' or '*mesne*' men of Scotland to the king's peace.[64]

This was an unusual stipulation. Certainly, every English official in Scotland had the authority to receive any Scot to Edward's peace; however, this deliberate targeting of the 'middle men' perhaps indicates an awareness of a change in popular opinion among certain Scots who were now quite fed up with the war. Such orders, issued immediately before the outset of a campaign, were presumably to be used as an amnesty to encourage these small landholders or burgesses, who played an important role in their own communities, to adhere to the English cause. The Scottish government would thus find it much more difficult to exercise their authority in military, administrative and financial matters, even when the majority of the upper nobility were not at Edward's peace.

Most interestingly, a similar mandate was granted to Sir Gervase Alard, the admiral of the fleet which was now operating in the west. On 6 June he was given

> . . . full powers, to last till 1 November, to receive to our peace . . . Alastair of Argyll, John and Duncan, his sons, and Lachlan, son of Alan [MacRuarie], who married Alastair's daughter, the daughter herself and all their domestics and each of them and also all other husbandmen and middle people of the Scottish isles who wish to come to our peace, except barons, bannerets and other rich and great lords.[65]

This is the first proper reference to the situation in the north-west of Scotland since 1297, with the exception of the news of Lachlan MacRuarie's raids on the north of Scotland with Alexander Comyn of Buchan in 1299. Clearly it would be most unwise to presume that such activities had anything to do with adherence to King Edward. The likeliest explanation for the submission of the MacDougalls is the (undocumented) success of the MacDonalds in Edward's service, or, at least, the view now taken by the former that the only way to regain their position was through the same service. If so, it is likely that they soon changed their minds since the release of King John from papal custody took place only a month or so later, putting a quite different complexion on Anglo-Scottish politics. There is unfortunately no evidence for Admiral Alard's activities in the north-west over the summer of 1301, although Edward must surely have been prepared to divert the fleet only in the knowledge that the MacDougalls were definitely seeking reconciliation.

The exclusion of the 'barons, bannerets and other rich and great lords' is most striking and corresponds to the general principle now being adopted by

Edward's officials in targeting the 'middling sort'. Certainly, these lords included James the Steward and John Comyn of Badenoch, who were unlikely to submit at this time; it may also be the case that Edward was considerably angered by what he considered the treacherous behaviour of the higher Scottish nobility and was deliberately seeking to isolate them from the communities they represented.

There is no evidence for large-scale submissions in 1301 or, indeed, in any year before 1304, although that may be precisely because the nobility, who tend to monopolise the written record, did not submit until then. Nevertheless, English accounts do make odd references to small anonymous groups who chose to 'have peace'. It was also asserted by Sir Robert Tilliol, constable of Lochmaben, that the Scots were forcing those in the surrounding area who had submitted to return to the Scottish fold in 1301.[66] Equally, the revenues raised in 1300 and 1301 by the sheriff of Edinburgh could only have been achieved if exactly that section of society which Edward was now targeting had accepted the English regime in sufficient numbers.

It is not surprising that the passage of time had persuaded an increasing number of Scots that Edwardian government was here to stay. Certainly, in terms of an overall administration, the system still fell dramatically short of the one set up in 1296; however, it is also clear that the military achievements of the king and his army in 1300 were accompanied by similar, small-scale improvements to the state of the permanent English administration of southern Scotland.

There was no doubt in Edward's mind, whatever the feelings of his subjects, that yet another campaign would take place in 1301. Not only that, but he intended to raise the stakes even higher by wintering in the north; the Scots would no longer be able to take advantage of an English withdrawal and it was doubtless hoped that even the most recalcitrant would thus realise that continued resistance was futile. However, despite the logic of the strategy, which had certainly worked well in Wales,[67] the resources required to persuade men to serve over the winter undoubtedly meant that England was to be asked not only to continue to pay for the reconquest of Scotland, but to pay even more.

This was a high-risk strategy indeed. As an astute politician, Edward doubtless realised that the grievances behind the crisis of 1297, which the defeat at Stirling Bridge so narrowly prevented from becoming a civil war, were not going to go away so long as there was a war to pay for. It was his job as king to sell his military objectives to his own subjects; although the war in Scotland lacked both glory and rich pickings, there was still an element of national pride involved, as the portrayal of Edward I as a king who had brought glory to England through martial exploits in contemporary poems illustrates. On the other hand, there was surely a time-limit to such patriotic feeling: a continued inability to force the inferior Scottish army to a

capitulation might raise serious questions about the king's own abilities and the desirability of endlessly squandering the kingdom's resources on Scotland.

On 1 March 1301 the inevitable writs for purveyance were issued. The demands made on the northern counties were noticeably smaller than most and must again reflect not only the considerable resources which they had already contributed to the war, but also the devastation inflicted by both sides.[68] Since Edward's forces were to be divided into two, purveyance was required at both Berwick and Carlisle. Also, while half the Irish purveyance was to be sent, as usual, to Skinburness, the port for Carlisle, the other half was to go to a port on the island of Arran, held for Edward since 1298 by Sir Hugh Bisset of Antrim.[69] The aim was presumably to bring the whole of Scotland south of the Forth-Clyde line under English control.

This was still easier said than done, however. The northern English counties were not alone in suffering from a dearth of foodstuffs. On 18 April, the demands made on the county of Essex were reduced by reason of 'a scarcity of oats and malt in that county'. The merchants there also appear to have fallen victim to profiteering during the previous purchase of their goods since those ordered to supervise the collection of this year's quota informed the king that: 'As regards payment . . . [they] cannot give their goods with confidence except to persons named, who have power to tax, collect and pay when the time comes'.[70]

The king arrived at Berwick on 5 July and had his army mustered by 12 July. According to the payroll for the period up to 29 September, it numbered around six thousand eight hundred footsoldiers, with a further two hundred and seventy-two drawn from the garrisons of Berwick, Roxburgh, Jedburgh, Edinburgh and Selkirk Forest. The earl of Angus also provided two hundred archers, presumably from his Northumberland lands.

The king had also negotiated for the service of the Irish nobility, who had not served in Scotland since 1296. Edward's terms were extremely generous, including the pardon of two-thirds of all debts owed to the exchequer. Even so, the earl of Ulster, the most powerful nobleman in Ireland, still refused to go. However, an Irish force numbering two hundred and twenty-nine men-at-arms, three hundred and five hobelars and nearly fifteen hundred footsoldiers had arrived on Arran by 15 July, to join the Prince of Wales at Ayr soon thereafter. A separate force under Sir Eustace Poer and Sir Thomas Mandeville, numbering forty-five men-at-arms, eighty-six hobelars and one hundred and twenty-eight footsoldiers (most likely sent by the earl of Ulster), probably took part in the siege of Turnberry.[71] Though the cavalry and footsoldiers were doubtless welcome, the hobelars were probably of most use as the prince's army moved into Galloway.

The fleet continued to prove vital to the success of this year's endeavours. Despite their *servitium debitum* of fifty-seven, the Cinque Ports were requested to send only twelve 'good, large ships'. This was perhaps a reflection of their previous good service and the fact that it was becoming so

constant; either that, or Edward felt that large vessels of good quality were preferable to a greater number of smaller, inferior boats. Sir Gervase Alard remained as admiral and captain of the Cinque Ports. In addition, the non-Cinque Port ports of Bristol and Haverford were to provide three ships between them, to go with these twelve ships to Dublin by 11 June 1301.[72] They would then presumably cross the Irish Sea to Skinburness or Ayr to provide supplies and give aid to the prince of Wales.

Additional summonses were sent to forty-four English, one Welsh and six Irish towns to provide a further sixty-eight ships to join the king at Berwick by 24 June, although two ships from Bristol were included among these also.[73] This fleet should therefore have totalled eighty-one ships, although there is no way of knowing exactly how many actually turned up.

Having mustered at Berwick in July, Edward's army moved west, staying at Peebles for two weeks and arriving at Glasgow on 21 August; attack from Scottish raiding parties remained a problem.[74] The more leisurely pace taken by the eastern army may be a reflection of Edward's rather hopeful desire that his son should attain 'the chief honour of taming the pride of the Scots'.[75] The prince's army arrived at Ayr in August. On the 25th his father, at Glasgow, heard unspecified 'good rumours'.[76] There is no evidence for a siege at Ayr, nor any reference to a harassing Scottish force, although there may well have been one. Strategically, winning Ayr was a considerable triumph for the English, even if it had taken three years to achieve; direct control had finally been extended right through to the west coast, allowing shipments from Ireland to come directly to Scotland. The Gascon, Sir Montasini de Novelliano,[77] became constable of the castle and Sir Edmund Hastings the sheriff. Both had already served in other Scottish garrisons.[78] Overall keepership of the castle and the sheriffdom was granted to Patrick, earl of Dunbar and March. Though essentially an eastern landowner, Earl Patrick also owned Cumnock castle, twenty miles east of Ayr, and thus maintained an interest in the area.[79]

The *caput* of the earldom of Carrick, Turnberry, is some thirteen miles south along the coast from Ayr. This time there was certainly a siege, since the first reference to any English presence there was on 2 September but the king, still receiving 'good rumours' at Glasgow, did not hear of its reduction until he was at Bothwell on 5 September at the earliest.[80] Its fall, even if only temporary, must have come as a considerable blow to the earl of Carrick.

Around the same time the Comyn castle of Dalswinton, situated around six miles northwest of Dumfries, was given to Sir John Botetourt, who had perhaps been responsible for its capture. However, the wages' payment for the four men-at-arms sent to garrison it was cancelled, suggesting that the English were not in possession for very long. Certainly Sir Robert Tilliol, the constable of Lochmaben, wrote on 10 September that the Scots, who were attacking him, 'went to lodge near Dalswinton'. The English were certainly

making considerable progress in the reconquest of the south-west but even the 1301 campaign by no means ensured complete security.

The king had now himself settled down to a siege. The barony of Bothwell, including the castle, and other lands in Scotland to the value of £1000 had been granted, in anticipation, to Sir Aymer de Valence on 10 August 1301; Edward's progress to Lanarkshire was thus deliberately planned. The Scottish owner of Bothwell was the three-year-old Andrew Murray, who was growing up in the north-east. The defenders put up an admirable resistance but had surrendered by 22 September.[81] Sadly, nothing is known about the fate of the garrisons of any of the Scottish castles captured by the two English armies in 1301; however, the account of the sheriff of Cumberland notes payments to 'two knights and thirty-two Serjeants, Scottish prisoners in Carlisle castle, and a constable and eight warders to guard them' made in regnal year twenty-nine (20 November 1300–19 November 1301).[82] It is certainly possible that they came from one or more of these castles. The lack of reference to footsoldiers means that we cannot rule out the possibility that they were summarily hanged.

From September onwards the Scots did their best to counteract English activities in the south-west. There had been further changes in the Scottish administration, with Sir John Soules apparently now acting as sole guardian at the behest of none other than King John himself.[83] However, it is to be doubted that the Comyns gave up power so easily, even at the instigation of their sovereign; equally, Scottish resistance would have been almost pointless without their active support.

Sir John Comyn certainly does not seem to have been with the Scottish army in the south-west, but his cousin, the earl of Buchan, led a force, together with Soules, positioned at Loudoun in Ayrshire. Another force under Sir Simon Fraser, Sir Alexander Abernethy and Sir Herbert Morham (presumably having escaped from Edinburgh) lay at Stonehouse near Strathaven. Sir Robert Tilliol, at Lochmaben, sent information on their activities to the king, still at Glasgow. The Scots, controlling the road from Glasgow to Ayr, were clearly hoping to prevent the two English armies from joining up.

So, Sir Simon Fraser had finally joined the Scottish side. He apparently left in dramatic fashion, stealing Sir William Durham's horse and armour from Wark castle in order to make his escape. The last reference to him in official English documents is as late as 27 June 1301, when £40 was issued to his valet at York as payment for two horses bought from him by the Treasurer.[84] The fact that he was to be found leading a Scottish contingent only three months later does admit the possibility that he had been acting as a double-agent; his swift departure from Wark might also suggest that he had just been found out.

There may have been other reasons, however. The fact that Sir Hugh Audley, though not described as keeper of Selkirk Forest until August, was

active in the south-east in the spring of 1301 may mean that Fraser had been, or was about to be, removed from office. This, together with Guisborough's description of the accusations of wage defaulting supposedly levelled by Sir Simon at sir Ralph Manton, suggests that the benefits of English service were no longer obvious to this Scot at least.[85]

The arrival of both Sir Simon Fraser and Sir Herbert Morham in the Scottish camp in mid-1301 is a good indication that the Scottish position was still regarded positively: there is little point in changing on to the losing side. This assessment was probably based less on Scottish military activity, which was developing into little more than a finger-in-dyke exercise, but rather on increasingly fruitful diplomatic missions. However, the Scottish army still had work to do to prevent English gains from becoming overwhelming.

When the king left Glasgow for Bothwell on 5 September, the two Scottish contingents at Loudoun and Strathaven probably joined together. Certainly a large Scottish force under Soules and Umfraville arrived outside the walls of Lochmaben on 7 September. It numbered, according to Tilliol, 'forty bannerets, twelve score men-at-arms [and] seven thousand footmen or more'; allowing for inevitable exaggeration, this must have been the main Scottish army.

After attacking the pele for several hours, the Scots withdrew to Annan where they 'burned and pillaged the country round about'. They returned to Lochmaben the next day but seem to have come off worst since Sir David Brechin and Sir John Vaux were injured 'and many others were killed and wounded'. There were a couple of English casualties, but the pele again stood firm. Later that day the Scots withdrew to Dalswinton, apparently en route for Nithsdale and Galloway 'and they are causing to return to them those who came to peace and are collecting a greater force to come to our marches'. The fundamental strength and weakness of the Scottish military position is clearly illustrated by these activities: on the one hand, they could not reduce an English-held castle when it was protected from a long siege by a nearby English army; on the other hand, their harrying tactics did make life extremely difficult for the garrisons, and terrified the local inhabitants. The western march was still clearly in a state of flux, with the loyalties of the native population changing at the approach of an English or a Scottish army. Patriotism was a luxury that many – perhaps most – could little afford.

Tilliol also inadvertently delineated the basic strength and weakness of the English position when he informed the king '. . . that you have rejoiced us much with the rescue which you have promised us . . .' and 'that your honour shall never be injured by us as long as our victuals last'.[86] There is no denying the might of the English military machine; but the Achilles' heel of the supply line, in this fifth year of war, was still capable of placing much of the reconquest in jeopardy.

Lochmaben's rescue was presumably not to be effected by the king himself, since he was about to leave for Bothwell. The prince did move south from

Turnberry around this time, en route to Loch Ryan, which was nevertheless over ninety miles from Lochmaben.[87] Sir John de St. John was at Knockdolian, near Ballantrae, on 14 September. Since this was between Turnberry and Loch Ryan, it seems likely that he and at least some of his thirty men-at-arms[88] were with the prince's army. The withdrawal of St. John's men from Dumfries and Lochmaben may again have placed those garrisons in a vulnerable position, and one which the Scots were not slow to exploit. However, a contingent under the command of the earl of Lincoln was detached from the young Edward's army, arriving at Lochmaben by 21 September. The prince was still at Loch Ryan.[89] There was little the Scots could do: the presence of these English forces in western Carrick and Annandale forced them to move on.

The south-eastern garrisons were being kept informed of Scottish activities in the west and were aware of the possibility of an enemy attack on the east. Around 13 September Sir Robert Hastangs wrote to the king, having just received a letter from Edward, informing him of the measures being taken by all the English officers in the south-east to repel the Scots. All the remaining soldiers in each sheriffdom were put on a twenty-four-hour alert under the utmost secrecy in order to maintain the initiative against the enemy.[90] Nevertheless, the king was becoming edgy about the security of the area, believing that he was not being kept properly informed, and Sir Hugh Audley had to write quickly 'containing all we know for certain'.

Edward perhaps had some reason to be critical of his officers' abilities to work efficiently together. On 17 September a meeting had been arranged which Hastangs, his brother, Richard, at Jedburgh, Sir Alexander Balliol, probably already keeper of Selkirk castle, Sir Hugh Audley, and Sir William Durham, the new sheriff of Peebles, were all supposed to attend, with their men, in order to work out a strategy against the Scots. Unfortunately, only the Hastangs brothers and Audley actually turned up, 'and very few of the country folk, except our foresters, who came loyally and are ready to perform all your commands'. Unsurprisingly, nothing was organised and the king was requested to order the other officers to 'come quickly since we have things to do'.

The need to send messages to and from Bothwell cannot have done much for either speed or secrecy: it is highly likely that the reluctant Sir William Latimer, captain of the eastern march in 1300, was no longer in that office and there is no doubt that the lack of a coherent command structure in the south-east was causing real problems. However, Edward was well aware of this and Audley and the rest were ordered to await the orders of Sir Walter Burghdon, who had become keeper of Carstairs castle and sheriff of Lanark by 21 September 1301.[91] From his position in the middle of the country – an area only recently brought under even nominal English control – he was now well placed to organise the defence of the eastern march against a Scottish attack from the west.

However, there were still problems, particularly with the security of the sheriffdom of Peebles. Situated on the north-western edge of Selkirk Forest, and therefore previously on the periphery of the English-dominated south-east, Sir William Durham's appointment undoubtedly indicates a degree of English success against the Scots who had previously found easy access to the Forest. It is striking that this increased control took place around the same time as Sir Simon Fraser changed sides and also in the year following the capture of Sir Robert Keith, the Scottish warden of the Forest, though again it must be stressed that any double-dealing on Sir Simon's part as Edward's officer cannot be proved.

In the meantime English spies with the Scottish army were busy gathering information for their masters in the south-east. Durham's spy, who came straight to Peebles from Nithsdale on 21 September, provided the rather inconclusive news that the Scots were still in Galloway, hiding out in Glentrool Forest, but that it was impossible to tell where they were heading. It was also reported that the prince of Wales was on pilgrimage to Whithorn, prompting the Scots to remove relics there to Sweetheart abbey. However, the English seem to have found them and taken them back, indicating that the two forces were still in close proximity to each other.[92] Since Sweetheart is only a few miles south of Dumfries, this also implies that English control in the south-west was regarded by the Scots as limited to the immediate environs of the garrisons of Dumfries and Lochmaben.

Sir Alexander Balliol, at Selkirk, informed the king rather peevishly that 'the writer and fellow keepers of the march are threatened by a possible Scottish raid to destroy the writer's lands and to seize and defend the forest . . .' Balliol was lord of Cavers near Hawick in Roxburghshire. Meanwhile, the spies were to keep up their good work, so that royal officers in the east were sufficiently prepared for an attack. In the meantime another meeting 'to inspect forces' was arranged for 24 September.[93] Although those in the south-east appear rather panic-stricken and disorganised in the face of this threat, the Scottish army also seems to have run out of ideas. Five years of war was taking its toll on both sides.

Ordinarily, September would have seen the beginning of a retreat by the English army, whether or not that had been Edward's original intention. The decision to remain in Scotland over the winter of 1301/2 naturally put a strain on the administrative machinery already stretched to the limit to provide for the summer campaign. On 14 August various English sheriffs, including those of the northern counties of Northumberland, Cumberland and Westmorland, were ordered 'to induce merchants and others of those counties who wish to sell victuals and other necessaries by land and sea to the king and his army in Scotland . . .'. These orders were concluded with the thinly-veiled threat that each sheriff was

. . . enjoined to conduct himself so in executing this order that the king may

be able to realise that the sheriff has this matter specially at heart and that he desires its speedy and happy expedition, and so that it may not be delayed through lack of victuals and other necessities to the damage of the king, the sheriff and of all the people of the realm.[94]

Although credit could be used to a certain extent during a campaign, not least to offset wages with payment for victuals, hard cash still had to be transported north. As 1301 progressed, the lack of specie became more and more problematic, reaching a climax in August in a most spectacular fashion. According to a letter to the king, probably from Sir Ralph Manton, the late arrival of £200 ordered by the king before he left Berwick in mid-July provoked a mutiny on 28 August among 'the foot crossbowmen and archers in the garrison [Berwick], joined by some of the men-at-arms of Sir Ralph FitzMichael, who was with them in Gascony and is their leader and *mestre abettour* (prime mover) in all riots'.

The next day, despite threats to himself and the men-at-arms with him, Manton 'rode up the great street, which they were blocking to prevent the guard being mounted'. Though his people were 'molested . . . most vilely on returning', the cofferer was able to reach the castle and to place 'two men-at-arms at each post'. He then 'consulted Sir Walter Teye [the captain of the town garrison], who said that he didn't blame the mutineers, for when the earls of England were in the town [presumably with the king in July], they had only got three days' pay, and were now a month in arrears'. The insinuation here is that most of the hard cash had gone on keeping the quarrelsome aristocrats quiet.

Manton and his men remained on guard at the palisade and were joined the next day (30 August) by Sir John Seton and four valets. Sir Walter then held a meeting in St. Nicholas' church of all the men-at-arms, who were so far staying out of the mutiny. Each man was asked whether or not he would mount guard and 'All replied that they would willingly and that they had no concern in the mutiny of the foot'. However, they did sympathise with the mutineers since they agreed to remain at their posts only until the following Friday (1 September). Fortunately, the £200 arrived that same day. The next morning (Thursday) it was counted out in front of the sheriff of Northumberland (who presumably brought it) and part was set aside for the garrisons of Roxburgh and Jedburgh. The rebellious footsoldiers presumably grumbled their way back to their posts.

The Berwick garrison was finally paid on the Friday. Sir Walter had perhaps taken fright, however, since he ordered Manton 'to pay the whole sum to the garrison and none other', claiming that this was the meaning of the wording of the king's letter to him. Manton's response, with some justification, was that 'the king always treated Roxburgh, Jedburgh and Berwick as one'. Sir Walter then claimed ignorance until he received more specific instructions from the king, 'he being only a lay man', and payment

duly went ahead at Berwick only. Manton therefore 'suffered evil and annoyance through want of this, for in place of Sir Walter only getting £14. 14s., he has taken £36 from him, whereby he has nothing to pay his own people [presumably his guard]'.[95]

These extraordinary events, taking place at Berwick, the very heart of the English administration, must have been extremely worrying for Edward, though, sadly, we know nothing about his reaction to Manton's news. There was little point in organising a successful campaign if the English garrisons were in danger of disintegration for lack of money and supplies. Such an appalling eventuality was really only narrowly avoided on this occasion, although the Scots had been able to pick off more vulnerable garrisons suffering similar problems in the past. The route to progress was circuitous indeed.

Things were not looking likely to improve in the immediate future either. On 25 September an anonymous letter – probably from Sir John Droxford, keeper of the wardrobe, in York – was sent to the king describing the overall financial situation, given that two armies, as well as the garrisons, still required maintenance. A total of 2000 marks had been sent to Berwick around 14 September (though presumably to go to the king, rather than to pay the garrisons). Five hundred marks had also been sent to Carlisle to the prince, who 'greatly needed money', bringing the total received there also to 2000 marks. The writer now hoped that 'by Michaelmas [29 September] there will be enough to pay both the king's army and his son's, if not otherwise disposed of by the king, and if as much as possible of the 'proffer' is taken beforehand'. Without this money, it would apparently 'be difficult to help . . . Berwick or Lochmaben', indicating that the writer was aware of the problems at the former garrison and also that they were not unique.[96]

Manton himself remained in the south-east to organise the garrisons, before returning to the king at Dunipace, about five miles south-east of Stirling, at the beginning of October. In the meantime arrangements were made to strengthen the English forces in Selkirk Forest, in continued anticipation of a Scottish attack. A total of twenty men-at-arms and one hundred and twenty footsoldiers from the garrisons of Berwick and Roxburgh had been sent to Sir Hugh Audley there, along with Sir Thomas Grey[97] and his three knights, who were 'no longer at Ayr with earl Patrick'. This brought the total number of men-at-arms lurking in the Forest to fifty, excluding a further six with the sheriff of Peebles.

Manton had also spoken with the Hastangs' brothers, Sir Alexander Balliol and Audley himself, instructing them, on behalf of the king, 'to send out scouts and each warn the other and also the country'. Balliol was still in touch with his spies in the Scottish army and had reassured Sir Ralph that 'whenever the enemy issue from Galloway, he will know two days before and will warn the king by two or three messengers of what road they take, and so will the others'. The cofferer had not managed to see Sir William Durham, 'who

neither came nor sent an excuse', but he was to be informed of the king's commands. It was vitally important that the Scots should not regain a foothold in south-eastern Scotland.

Fortunately, also, Manton had been able to divide '£200 of the fine made by Newcastle for the fifteenth among the garrisons of Berwick, Roxburgh, Jedburgh and the Forest, to his best judgement, for fifteen days' wages', thereby reducing the likelihood of another mutiny. However, he was not at all happy about the situation generally, telling the king that if he had not gone there himself, 'all the garrisons on this side would have been scattered for want'. Money from the exchequer had arrived at Berwick on 28 September, but was not as much as he had expected 'and should have had'. Supplies at Berwick were also getting dangerously low, as he had told Sir John Droxford, who was asked to collect as much as he could everywhere, 'for your [the king's] business in Scotland depends much on *vivers*'.[98] Edward could have told Manton that himself.

The situation was not much better in the south-west, where St. John was experiencing the familiar problem of trying to make ends meet, not least because his wages were so greatly in arrears. According to a letter written to Manton on 27 August 1301, he was due money from both the previous financial term (up to 29 May) and the current one (up to 1 November). The money was urgently required because 'he had great works to do and he is heavily indebted to the poor people of all parts who dolefully beseech him for victuals and other things he has taken from them'.[99] St. John had realised, even if his royal master either could or would not, that Edward's administration would only find real acceptance in Scotland if it was not perceived as oppressive. However, the situation, if anything, deteriorated: according to a letter of 23 October from the Prince of Wales to the treasurer at York, 'the castles of Lochmaben and Dumfries [were] feebly garrisoned with troops and lacking in victuals and other provisions'.[100]

Edward was well aware of the options available to him and what would best suit his purpose. He was also not a man to leave any stone unturned in pursuit of his objectives, although he also knew when to give in, in the short term at least. He left Bothwell around 22 September.[101] His original intention seems to have been to move westwards to Inverkip, whose owner-in-waiting was the earl of Lincoln. The earl wrote impatiently to the king from Galloway on 21 September and 2 October, 'understanding that as soon as he has taken Bothwell castle, the king will attempt that of Inverkip'. Lincoln claimed it as part of a grant of the lands of Strathgryfe, forfeited from James the Steward. The initial plan had probably been for the prince's army to link up with his father's at Inverkip in a pincer movement; this strategy had been abandoned for quite some time, not least because the prince's army was now busy making pilgrimages deep in Galloway.[102]

Unknown to Lincoln, and doubtless to his severe disappointment, the king

had also changed his plans and gone north to Dunipace by 27 September.[103] The intention now was probably to attack Stirling castle, as Manton's activities around 30 September also indicate. The cofferer was busy gathering together various engines, engineers and carpenters at Berwick, to be sent west. He had also ordered the sheriff of Northumberland to send north twelve carpenters and twelve masons, though 'he has not yet one'. On 4 October Sir John Kingston sent various bits and pieces of siege equipment to the king from Edinburgh.[104] Other preparations included the building of a road and a bridge near Dunipace and repairs 'on a bridge beyond a certain river . . . for the passage of the king's carts there' (presumably the river Carron).[105]

Edward remained at Dunipace throughout most of October. On 29 September, several members of the army, perhaps on a foraging trip, encountered a group of Scots at Airth, east of Stirling, and a fight ensued in which two horses on the English side were killed.[106] By this time the English army had spent four months in Scotland and intended to remain there for several more. However, finances were dire. On 11 October Edward informed the exchequer of his 'surprise', like Manton's, at how little money had been sent. Therefore, the king complained, he could not pay his men, most of whom had already left, and he could not 'prevent the daily desertions' of the rest.[107] Edward put the blame for this situation squarely on his officials at York, ordering them to ensure that their inefficiency did not force him to withdraw. That was the wonderful thing about being king: if a certain course of action did not work out, the fault lay with those implementing it, not with the policy itself.

Much of Edward's ire stemmed from the fact that the lay and clerical taxes – the fifteenth and the tenth – and the usual issues for the Michaelmas term should all have been collected by now. Two days later, on 13 October, the king wrote again to poor Droxford. Referring to Manton's letter about 'the state of the king's supplies', Edward now required 'hasty purveyance' to be made, especially since the prince's army was now making its way to Dunipace, and the queen and her household had also joined the court for the winter.

Droxford, perhaps well aware of how hard a taskmaster Edward could be, had already left York for London before he received this barrage of complaint. However, the barons of the exchequer opened the second letter and quickly informed the king that 5600 quarters of corn and other supplies were being collected, to arrive at Berwick by Christmas and to be paid for from the Michaelmas issues and the proceeds of the fifteenth. There was an element of disingenuousness to this nevertheless, since the writs ordering the purveyance had only just been sent out. Further purveyance was ordered from Ireland, three-quarters of which was to be sent to Skinburness by 2 February 1302, for the use of the garrisons of Dumfries and Lochmaben; Ayr was to receive the rest.[108]

However, this did not alter the fact that those in charge of purveyance and

the collection of royal revenues required the latter to pay for the former. Thus most of the money raised did not even reach the border, despite the fact that cash was desperately needed for the wages of those serving in both the garrisons and the army: desertion had always been a weakness, but it was now in danger of becoming an epidemic.

On 16 October, a mere three days after the last letter, Edward wrote an even more desperate and irate letter to the exchequer. The lack of money had meant that none of his promises of payment had been kept and desertions continued. But for this, the king wrote in frustration, he would have 'completed the bridge across the Forth [presumably at Stirling]'. If he had managed to do so 'this season', he further lamented, he would have 'made such exploit against the enemy' that the reconquest of Scotland would have quickly reached 'a satisfactory and honourable conclusion'.[111] It is tempting to ask which fantasyland Edward was now inhabiting, since he was clearly asking for the impossible: his kingdom's resources – not to mention the patience of his subjects – were being stretched to the limit. Nevertheless, he had already achieved more than might have been expected through this judicious use of carrot and stick and perhaps it is understandable that he continued to push his luck.

The king now ordered that all money being sent north should come only to him, with the exception of that destined for the garrisons of Dumfries and Lochmaben and others guarding the western march – where the Scots were still active – and the new garrison at Ayr. £1000, which had to be borrowed in York, was sent north immediately. Droxford was still in London, desperately searching for more funds; those in York assured the king that they were constantly urging the sheriffs to expedite the raising of their revenues. They also informed the king that £9789 16s. 5d. assigned from the fifteenth – including £4000 owed as wages for the Welsh soldiers with the prince – was not now to be paid 'since this seems the only way to save the royal expedition'.[109] The English footsoldiers were thus not, in fact, bottom of the list: the Welsh and the Irish footsoldiers held that honour.[110]

Such desperate measures were perhaps inevitable in the circumstances; however, they had some disturbing implications. On 18 December 1301, letters of credence[111] were issued to those in charge of purveyance in the English counties. They were now ordered to explain to those who had 'granted to the king last year certain corn for his maintenance in Scotland' that they would not now be paid from the proceeds of the fifteenth, as they had been promised, but would have to wait until the following Midsummer. Alternatively, if they preferred payment now, 'they are desired to advise and ordain how the king may be best served with the corn that he needs now for his maintenance henceforth'. In other words, money for past service would only be forthcoming in return for further supplies. Payment for these would then be made from the fifteenth at Midsummer 1302 – allegedly. The king did categorically promise that he 'will pay for the corn that he has ordained to

take or that he shall take in the respective counties readily to everyone without making prise of corn by any of his ministers [i.e., that a market price would be paid]'.[112]

The reference to prise – a royal right to supplies at a fixed low rate, originally intended to feed the household, not the army – was perhaps a veiled threat; nevertheless, Edward had to tread very carefully or face the distinct possibility that provisioning would become even more difficult than it clearly already was.

There was nothing more to be salvaged from this year's campaign. On 22 October the king informed the exchequer that he was retreating to Linlithgow for the winter, since so many of his troops, 'both horse and foot', had deserted and he was 'in danger of losing' what he had already won. Yet again he ordered that as much money as possible should be sent north. He declared that he would not accept the 'excuse' that 'it is dangerous to transport large quantities of [coin]',[113] though this was doubtless a genuine concern.

Edward was not alone in his need for cash; the south-western garrisons under Sir John de St. John were still in a desperate situation. On 13 October it was arranged that £25 from Lancashire and £25 from Westmorland and Cumberland would be paid to St. John as part of the 200 marks owed to him. A further £100 from Lancashire was assigned to him on 20 October. A month later, the king ordered that the proceeds of the fifteenth in Cumberland and Westmorland were to be handed over to Dalilegh at Carlisle.[114] Although there is, unfortunately, no evidence of how much was actually handed over, it is no wonder that other payments from the fifteenth were being cancelled in a desperate attempt to target hard-pressed resources where they were needed most.

In any event, these measures were not enough. On 31 December Edward himself wrote to the exchequer, explaining that 'since we have heard that Sir John de St. John and the good people who are staying in his company in the garrisons of the castles of Lochmaben and Dumfries, as you know well, have been and still are in great danger and hardships for lack of money', sufficient amounts were to be sent to St. John as soon as possible.[115] The situation was swiftly spiralling out of control and there was little that Edward, or any of his officials, could do.

To add to these undoubtedly pressing difficulties, some rather depressing news was emerging from the continent about Anglo-Scottish affairs. A letter dated 1 October, perhaps again from Manton, informed the king of the removal of King John from papal custody, to which he had been commited in 1299, to his family estates at Ballieul in Picardy.[116] The winter of 1301–2 witnessed the zenith of French support for the Balliol cause, although there were others to whom this was of even more concern than King Edward.

The stalemate evident since 1298, when it had become clear that Scotland was not going to fall back into Edward's lap even after a military defeat, was not

broken yet; nevertheless, so long as England was prepared to devote much of its resources to this piecemeal reconquest for the foreseeable future, there was every hope that Scotland would one day yield, not least for the lack of an alternative. On the other hand, there was surely a limit to the patience of the English, and Irish and Welsh, people, who were being asked to expend considerable resources year after year on an enterprise that so far had provided very little return on the investment. This situation was exacerbated by the fact that a lot of time, energy and expense was also required to keep the threat of a diplomatic coup by the Scots at bay. Delaying tactics were certainly used to good effect, but they did not actually resolve anything. Edward's best hope was to upgrade his activities to a continuous military pressure on his enemies within Scotland, as well as maintaining an effective diplomatic presence on the continent; however, it remained to be seen whether or not there were sufficient resources, or public will, to sustain such pressure. Progress had been made, but the final outcome remained profoundly uncertain.

NOTES

1 *CDS*, ii, no. 1867.
2 *Ibid*., no. 1169.
3 *Lib. Quoi*., p. 183.
4 Prestwich, *Edward I*, pp. 381–5; J.E. Morris, *The Welsh Wars of Edward I* (Stroud, 1996), p. 291.
5 *Guisborough*, p. 245.
6 Stevenson, *Documents*, ii, pp. 407–8.
7 I.e., with the correct gear.
8 *CPR 1292–1301*, p. 484.
9 *Lib. Quot*., p. 28.
10 *CPR, 1292–1301*, p. 490; Prestwich, *Edward I*, pp. 513–4.
11 Stevenson, *Documents*, ii, pp. 409–10.
12 *CPR, 1292–1301*, p. 491.
13 It is interesting to note that this implies that the English government regarded Berwick as effectively in England, not Scotland.
14 *Lib. Quot*., p. 31; Stevenson, *Documents*, ii, pp. 360–5; *Itin*., p. 152; *CCR, 1296–1302*, p. 334; *Lib. Quot*., pp. 160, 161.
15 *Ibid*., p. 129.
16 Stevenson, *Documents*, ii, pp. 410–12.
17 E159/73, m. 26; *Lib. Quot*., pp. 139; 145–8.
18 Ibid, pp. 151–152, 178–79.
19 See below, p. 116 for a discussion of the capabilities of the Scottish government.
20 *CDS*, v, no. 220; G.O. Sayles, 'The Guardians of Scotland and a parliament at Rutherglen in 1300, *SHR*, xxiv (1927), pp. 246–50.
21 Barrow, *Bruce*, pp. 111–2.

22 *CDS*, ii, no. 1128; *Lib. Quot*., pp. 106–114; 130–1.
23 *Ibid.*, pp. 105–6; 127–8; 135–6.
24 *Parl. Writs* i. p. 327.
25 Prestwich, *Edward I*, pp. 484–6; E159/73, m. 16.
26 J. Lydon, 'The Years of Crisis, 1254–1315', p. 199; J. Lydon, 'Irish levies in the Scottish Wars, 1296–1302', *Irish Sword*, v (1962), p. 208.
27 Morris, *The Welsh Wars of Edward I*, p. 296.
28 Murray, *The Constitutional History of the Cinque Ports*, p. 242. The original Cinque Ports were Hastings, Romney, Hythe, Dover and Sandwich on the south-east coast of England. Their obligations and privileges were then extended to a number of others, the most important of which were Winchelsea and Rye: *Ibid*., p. 1.
29 Nicolas, *A History of the Royal Navy*, i, pp. 294–5.
30 *CPR, 1296–1302*, p. 523.
31 Prestwich, *Edward I, pp. 522–5.*
32 *Itin*., p. 158.
33 *Lib. Quot*., pp. 223, 231; *CDS,* v, no. 272 (Jedburgh); *Lib. Quot*., 140–151, 220–223, 243 (Roxburgh); 221, 230, 251, 148; 255, 257; 146–7 (Berwick town); 231–2, 247–256; 140 (Lochmaben).
34 T. Wright (ed.), *The Roll of Caerlaverock* (London, 1864), p. 26.
35 *Ibid*., pp. 2, 6, 9, 18.
36 *Ibid*., pp. 2, 11, 14–15, 18, 25.
37 *Ibid*., pp. 27–35.
38 *Rishanger*, pp. 440–1; *Lib. Quot*., pp. 175, 177–9, 186.
39 *Ibid*., pp. 76–7; *CDS*, ii, nos. 1147, 1148, 1159.
40 *Rishanger*, p. 442; Barrow, *Bruce*, p. 113.
41 *Itin*., pp. 161–3.
42 *CPR, 1292–1301*, pp. 536; 537–8. 1000 marks per annum seems an awfully high value of land even for the whole of Galloway.
43 Stevenson, *Documents*, ii, pp. 296–8.
44 *CDS*, ii, no. 1144; *Lib. Quot*., pp. 115–119.
45 Stevenson, *Documents*, ii, pp. 296–8.
46 *Lib. Quot*., pp. 147–8.
47 *CDS*, v, no. 234; see below, p. 124.
48 *Lib. Quot*., 9, 12, 99.
49 pp. 8–13, 136.
50 M. Prestwich, *War, Politics and Finance under Edward I* (London, 1972), p. 175.
51 *Foedera*, 1, p. 924; *CPR, 1292–1301*, p. 541; Prestwich, *Edward I*, pp. 489–90.
52 *The Gascon Calendar of 1322*, ed. G.P. Cuttino, Camden Third Series, vol. 1xv (London, 1949), no. 513; see also Prestwich, *Edward I*, p. 490.
53 *Lib. Quot*., p. 121.
54 *Ibid*., pp. 73, 82.

55 *Ibid*., pp. 153–4, 13, 150–2.; E101/9/25, m. 6.
56 *Guisborough*, p. 294.
57 *CPR, 1292–1301*, p. 580; *CDS*, ii, no. 1244.
58 Ibid., no. 1193; *CDS*, v, no. 247; *CCR, 1296–1302*, p. 480.
59 *CDS*, ii, nos. 1194, 1244.
60 *CPR, 1292–1301*, p. 428.
61 *CDS*, ii, no. 1115.
62 *Liber S. Thome de Aberbrothoc* (Bannatyne Club, 1848–56), i, no. 231; Watson, 'The Engimatic Lion: Scotland, kingship and national identity in the wars of independence' p. 26 *CDS*, ii, no. 1592; *Memo. de Parl*., no. 296; The cases are undated but probably took place between 1300 and 1303; the bishop of St. Andrews, Sir Ingram d'Umfraville and even Sir John Soules were all guardians at some point during that period.
63 *CPR, 1292–1301*, p. 592.
64 *CDS*, ii, no. 1244; *CPR, 1292–1301*, 585, 592, 595. Audley was first described as keeper of Selkirk Forest in August 1301: E101/9/15, dorso.
65 Stevenson, *Documents*, ii, pp. 429–30.
66 E101/9/3.
67 See Prestwich, *Edward I*, pp. 220–4; also, Davies, *Owain Glyn Dwr*, p. 236.
68 *CCR, 1296–1302*, p. 480; *CPR, 1292–1301*, p. 578.
69 *CDS*, ii, no. 1192; *CCR, 1296–1302*, pp. 489–90; *CDS*, ii, no. 1193.
70 *CPR, 1292–1301*, p. 589.
71 Lydon, 'Irish levies in the Scottish wars, 1296–1302', pp. 209–214.
72 *CDS*, v, no. 247; Stevenson, *Documents*, ii, pp. 429–30; *CCR, 1296–1302*, p. 487.
73 *CCR, 1292–1302*, pp. 482–3.
74 *CDS*, ii, no. 1190; *Itin.*, p. 177.
75 *CDS*, ii, no. 1191.
76 *Itin.*, p. 178; E101/358/6.
77 *The Gascon Calendar of 1322*, no. 1148.
78 *CDS*, ii, no. 1236; E101/7/24, m. 1; *Lib. Quot.*, pp. 141, 145.
79 *CDS*, iv, no. 1829.
80 E101/364/13; E101/358/6; *CDS*, iv, p. 451. Stevenson, *Documents*, ii, pp. 432–3; *CDS*, ii, no. 1220.
81 *Itin.*, 178; *CDS*, ii, no. 1178.
82 *CDS*, ii, no. 1304.
83 Barrow, *Bruce*, pp. 114–5; N.H. Reid, 'The Political Role of the monarchy in Scotland, 1249–1329', unpublished Ph.D. thesis (Edinburgh, 1984) pp. 180–8.
84 *CDS*, iv, pp. 450–1; *CDS*, ii, no. 1317; Barrow, *Bruce*, p. 121, n.80; *CDS*, iv, p. 454; E101/9/15, dorso.
85 *C.P.R., 1292–1391*, p. 585; See above, p. 114.
86 Stevenson; *Documents*, ii, pp. 431–3.

87 *CDS*, ii, no. 1233.
88 Sir Thomas Paignel, one of St. John's knights, had certainly been with the prince at Ayr: *CDS*, ii, no. 1326; E101/364/13.
89 *CDS*, ii, no. 1224; *CDS*, iv, p. 446.
90 Stevenson, *Documents*, ii, pp. 434–5.
91 *CDS*, ii, pp. 199, 264; *Lib. Quot.*, p. 146; *CDS*, v, no. 201; E101/358/6.
92 *CDS*, ii, no. 1225.
93 *CDS*, v, no. 257.
94 *CCR, 1296–1302*, p. 498.
95 *CDS*, ii, no. 1223.
96 *CDS*, ii, no. 1228. The proffer was the lay fifteenth and the clerical ninth – a form of property tax on landowners and the church – agreed at the Lincoln parliament of January 1301: *Parl. Writs*, i, p. 105.
97 This was the father of the Sir Thomas Grey of Heton who later wrote the *Scalacronica*, a chronicle account of the Anglo-Scottish wars composed in the 1350s, after a spell as a prisoner in Edinburgh castle [see *Scalachronica*, pp. iii, xv].
98 *CDS*, ii, no. 1230.
99 *Ibid.*, no. 1218.
100 *CDS*, v, no. 264.
101 *Itin.*, p. 179.
102 *CDS*, ii, nos. 1224, 1235, 1290; E101/10/15; G.W.S. Barrow & A. Royan, 'James Fifth Stewart of Scotland, 1260(?)–1309', in K. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), p. 179; Barrow, *Bruce*, p. 121; Prestwich, *Edward I*, p. 494; see above, p. 110.
103 *Itin.*, p. 180.
104 *CDS*, ii, nos. 1230, 1237.
105 *CDS*, iv, p. 453.
106 *CDS*, ii, no. 1190.
107 *CDS*, v, no. 260.
108 *Ibid.*, no. 261; *CPR, 1292–1301*, pp. 608–9; *CPR, 1302–7*, p. 2.
109 *CDS*, v, no. 262.
110 E159/75, m. 10.
111 Warrants issued to those going about royal business to prove that they were entitled to do so.
112 *CCR, 1296–1302*, pp. 574–5.
113 *CDS*, v, no. 263.
114 E159/75, mm. 68, 69.
115 *Ibid.*, m. 14.
116 *CDS*, v, no. 259.

CHAPTER FIVE

TURNING THE SCREW

On 26 January 1302, the Treaty of Asnières, granting another truce to the Scots until 1 November 1302, was ratified by the king at Linlithgow.[1] The English army began its return south shortly thereafter. Letters of credence on behalf of Edward's ambassadors to the king of France, which gave them full powers to grant a truce to the Scots, had been issued as early as 24 August 1301 when the king and his army were still at Glasgow.[2] Edward may, of course, have merely been taking precautions: a truce might again prove useful in preventing the Scots from undoing the year's good work if all did not go according to plan. However, there was little point in expending huge resources on spending the winter in Scotland if military activity was thereby financially impossible for most of the next year. Whatever, and whether or not he always intended to ratify the agreement being negotiated throughout the autumn of 1301, he was still determined to achieve as much as possible before the money ran out and the weather deteriorated.

Edward had reason to be concerned. Soules and the main Scottish army had never gone east, but had taken the opportunity, as the prince went north to join his father, to move through Carrick and the districts of Kyle and Cunningham. John Marshall, the earl of Lincoln's baillie in the newly-acquired barony of Renfrew, reported that the guardian was advancing towards him with a large army. On 3 October the newly captured castle of Turnberry was besieged 'with four hundred men-at-arms and *petail* [men] enough to damage it as much as they could', suggesting that someone in the Scottish army had finally come up with some siege equipment.[4] On 25 October 1301, as the English army decamped for Linlithgow, a servant was 'sent to Glasgow to learn of rumours there of the Scots'.[3]

It is significant that Soules' army was attempting to win back the lands of both the earl of Carrick and James the Steward. Certainly the Steward, traditionally a Bruce, rather than a Balliol, supporter, had nevertheless acquiesced in the young earl's exclusion from power; however, he may have been prepared to look after Carrick's interests if the latter was unable, for

whatever reason, to act as a member of the community of the realm of Scotland. Either that, or the earl was still actively playing that role, including making his contribution to the army, perhaps partly because the guardianship was now held by the less politically offensive person of Sir John Soules, even if the latter's family certainly had connections with the Comyns.[5]

The constable at Ayr, Sir Montasini de Novelliano, and the sheriff, Sir Edmund Hastings, were expecting the Scottish army at Ayr by the end of October and thus urgently required reinforcements 'for the Scots are in such force that they and the other loyalists there cannot withstand them'. They had heard nothing as yet from Earl Patrick, their immediate superior, 'at which they wonder much'. The earl was, in fact, still at Dunbar, according to Sir Ralph Manton, and intending to join the king at Dunipace. He almost certainly had a quick change of plan, however, since he claimed in February 1302 that the Scots had begun to besiege the garrison at Ayr 'after his own arrival at the castle'.[6]

To add insult to insult, a Scottish contingent – perhaps under Sir Simon Fraser – was still active in and around Selkirk Forest. On 29 October a member of the Berwick town garrison was captured at Melrose, despite the presence of fifty men-at-arms and one hundred and twenty footsoldiers under Sir Hugh Audley in the Forest itself.[7] Far more alarming, however, was the capture of Sir Robert Hastangs near his own castle at Roxburgh in December. Fortunately for Hastangs, his brother, Nicholas, agreed to stand in as a hostage for his ransom and he was back at Roxburgh by February.[8] Yet again the Scots were proving that no matter how impotent they might appear when facing an English army directly, they could still inflict some fairly telling blows through guerrilla tactics; now it was Edward's turn to look on helplessly.

Despite the profound difficulties experienced by the English administration in trying to keep the two armies together, they still needed to ensure that the garrisons were up to scratch. On 8 October a daily rate of pay, beginning on that date, was calculated for both the royal armies and the fortresses in English hands. It was agreed on 17 November that Sir John de St. John should maintain a small standing army of one hundred and twenty men-at-arms 'constantly arrayed to make forays on the Scots in Galloway until next Easter [22 April 1302]'; this evidence strongly suggests that, at that point, Edward still did not expect a truce to halt military activities.

The garrisons of Lochmaben and Dumfries were each to contain ten men-at-arms and one hundred footsoldiers, and a clerk was to be sent 'without delay to see to their weekly pay, and also to the proper munition of these castles with dead stock, corn and wine and other *vivers*, as he hears they are insufficiently provided'. However admirable these arrangements might appear on paper, they were likely to prove extremely difficult to implement. Sure enough, on 31 December, the king had to send further orders for money to be

sent to St. John, 'who is in great want of it for these garrisons'.[9]

The amount paid out in wages for the garrisons, apart from Lochmaben and Dumfries which were accounted for separately, totalled £12 7s. 2d. per day, or £4510 1s. 7d. per annum. Although this compares well with the daily figure of £13 5s. for the garrisons in 1300, it is by no means the full complement. There are no figures for Ayr, suggesting that it was cut off from the rest of the English administration by enemy activity. In addition, Berwick, as usual, played host to a small standing army of twenty-five men-at-arms, sixty crossbowmen and two hundred and seventy archers. This is just as well, since the figures given for Roxburgh and Jedburgh are noticeably smaller than usual, caused presumably by the fact that there were now more garrisons for which men had to be provided.

A garrison at Linlithgow under Sir William Felton, as keeper of the castle, was instituted in this regnal year (20 November 1300–19 November 1301). Felton had recently been the constable of Beaumaris, one of Edward's new Welsh castles.[10] Eighty-five men-at-arms and one hundred footsoldiers were ordered to reside at Linlithgow, though ten of the men-at-arms formed the retinue of the new sheriff, Sir Archibald Livingston. Carstairs and Kirkintilloch also feature in English accounts for the first time in this year, most likely acquired as the king's army passed them en route to Glasgow, in the case of Carstairs, and then to Dunipace, in the case of Kirkintilloch.

The fact that the constable of Carstairs, Sir Walter Burghdon, was also sheriff of Lanark indicates that the castle, belonging to the bishop of Glasgow, had been appropriated by the Crown to act as the centre of a sheriffdom. There was presumably nothing in Lanark itself worth putting a garrison into, perhaps as a result of Wallace's early activities, though the motte is still visible today. However, the Scots maintained their own sheriff, Sir Walter Logan, in the area, and it is likely that Burghdon did not have it all his own way even after 1301.[11]

Kirkintilloch, another Comyn of Badenoch castle, was probably garrisoned around the same time as Linlithgow, since Sir William Fraunceys, the constable, chose twenty archers from the latter garrison to go there. They were joined by a total of twenty-seven men-at-arms and nineteen crossbowmen.[12] The English garrison community in Scotland was expanding annually, a sign of success, but equally an administrative nightmare. Even some of the private castles needed looking after: Dirleton, in Lothian, was again regarded as so badly supplied that it was permitted to purchase victuals from the Berwick store.[13] Though it is possible that nonpayment of dues was the cause of this dearth, it is equally likely that the area was suffering from a surfeit of military activity to the detriment of grain production.

Two more royal stores also came into operation in 1301. The store at Ayr came under the overall control of James Dalilegh, the receiver at Carlisle, and, despite enemy pressure in the area, he was able to issue flour, oats and wine

from it in September. A royal clerk, John Jarum, had been appointed its keeper, under Dalilegh, by December 1301.[14] The institution of a garrison at Linlithgow – not to mention the king's residence there – brought about the first mention of a store at Blackness on the Forth. Without this store, provisions could only have been brought up the coast as far as Leith.[15]

The only evidence in this year for 'normal' administrative activity was once more in the sheriffdom of Edinburgh, whose sheriff was again able to collect the issues normally owed to the crown. Though we cannot rule out the generation of similar paperwork from other sheriffdoms just because it has not survived, it might also be the case that Edinburgh was the most secure sheriffdom in English hands; the garrison was certainly not involved in the preparations for a potential enemy attack. The variety of issues was very similar to those collected in the preceding year, indicating that the sheriff and his officers were still able to enforce their authority throughout the sheriffdom.[16]

Though we are afforded even fewer glimpses of the Scottish administration in its normal *modus operandi*, there were some developments in this year also. In July 1301, Sir John Soules issued letters patent confirming Alexander Scrymgeour in certain rights pertaining to the constableship of Dundee, presumably still firmly in Scottish hands, proving that the Scottish chancery, revived under Wallace, was still operational even if there is no evidence for the use of a royal seal. More important, however, was the appointment, by 31 January 1301, of Master Nicholas Balmyle as chancellor. Since any revenues which found their way into the coffers of the Scottish administration were doubtless required most pressingly for the prosecution of the war, 'the rich abbey of Arbroath was made responsible for paying Master Nicholas's fee . . .'[17]

On balance, therefore, Edward and his mighty military machine had certainly made considerable progress in the process of reconquest; equally, the Scots, in military terms, had been forced into a largely reactive position, though there were moments when guerrilla tactics seemed to regain the initiative. However, a thorough examination of all aspects of the English military machine reveals considerable weaknesses for which the king's impotent fury at the frustration of his plans is evidence in itself.

Since we have practically no evidence for the Scottish side of this coin, it is quite possible that the guardians experienced similar difficulties. However, the ability of the Scottish army to maintain itself in the field throughout much of the year suggests that there was still widespread support for the restoration of King John. That support may have been waning in certain areas which now had a long experience of the occupying regime, but nevertheless most of Scotland still remained beyond even the nominal control of Edward's administration. Thus, although on one level the Scots looked increasingly likely to succumb to the intense pressure inflicted by these impressive English

armies year after year, the whole picture suggests that the issue was far less clear-cut as English garrisons remained vulnerable to starvation and attack. To this must be added another dimension which has hitherto played little part in the story, though it has been grumbling away in the background: Continental diplomacy.

The truce of Asnières not only envisaged the suspension of hostilities until 1 November 1302, thereby precluding a summer campaign; it also agreed that the French should hold certain lands in Scotland for its duration. These were:

> . . . the lands, possessions, rents . . . which the king of England or someone on his behalf has taken or acquired which the king of France says were occupied from John Balliol or from the Scots since the messengers of the king of France came to the king of England, or which will be taken before the ratification of this present treaty made by the king of England, that these shall be in the hand of the said king of France until the Feast of All Saints to come [1 November 1302].

All this territory was to be handed over by 16 February, to be administered by King Philip as he saw fit. Provision was also made to preserve the rights of the *menu people*, the lesser folk who held land by heritage, perhaps the peculiarly Scottish 'kindly tenants', who maintained such rights because of the continued occupation of their land by themselves and their ancestors.[18]

Since English ambassadors had been appointed on 24 August, presumably shortly after 'the messengers of the King of France came to the King of England',[19] the terms of the truce probably encompassed most of the castles captured during the summer campaign, such as Bothwell, possibly Kirkintilloch, Turnberry and Dalswinton. Ayr and Carstairs might just have avoided inclusion. Thus, according to this extraordinary agreement, a large chunk of the south-west was to be handed over to the French. Taken at face value, this would have been a remarkable humiliation for King Edward, not to mention a dreadful waste of the summer campaign if the revenues from captured lands were to find their way into the coffers of the French, rather than the English, crown.

So why agree to such humiliating, even dangerous, terms? The answer lies in the fact that warfare in this period, in common with more recent conflicts, was inextricably bound up with politics and thus affected by shifts in international opinion, in this case, most particularly, by the pope, Boniface VIII. The Scots at the papal court – Master William Frere, archdeacon of Lothian, Master William of Eaglesham and Master Baldred Bisset – had been extremely busy in May 1301, pressing forward the Scottish counter-arguments to the case presented for Edward's claim to the overlordship of Scotland in the previous year. They claimed to be able to directly refute more than one of the English arguments: the Scots had never acknowledged Edward's suzerainty 'by a decree of their entire nation', as the latter asserted, nor did the English

king have ‘full possession of Scotland . . . but only of certain places in the dioceses of St. Andrews and Glasgow’. The Scots at Rome hoped that the pope ‘will pronounce judgement on this affair between them and you [King Edward] and that he [the pope] will immediately forbid you to engage in any kind of warlike acts against them’. The Scottish request for the pope to act as overlord rendered even King Philip as a more acceptable alternative to King Edward.

French pressure on both the pope and the English was also vital to Scottish activities. Of crucial importance to the events taking place in Scotland itself in 1301 was the release of John Balliol from papal custody that summer; he then returned to his ancestral estates in Picardy in France. The imminent return of King John was expected not just by the Scots, but by Edward as well, provoking the extraordinary admission that ‘. . . [it is feared] that the kingdom of Scotland may be removed out of the king’s hands (which God forbid!) and handed over to Sir John Balliol or to his son . . .’[20]

It was against this background that the negotiations between the French and the English were conducted at Asnières. Edward was undoubtedly very concerned about his diplomatic position. He faced the possibility that the pope would explicitly prohibit him from continuing the war – a ban that would have been difficult for even the diplomatic skills of Walter Langton to circumvent, since the ultimate sanction of excommunication would certainly have been applied if it had been flouted equally, the likelihood of King John’s return was doing little to boost English morale in Scotland, while the Scots must have believed that victory would soon be theirs.

Thus, although the financial and supply difficulties encountered by the English army meant that the king and his men endured a miserable winter in Scotland, this cannot have been what caused Edward to conclude the truce since he had apparently already agreed to it in principle in August 1301. The period up to February 1302 was therefore used to consolidate the English hold in Scotland, primarily through building programmes on most of the new castles in Edward’s hands, in preparation for future campaigns. The purveyance ordered in October 1301 was required to feed the army until it came home at the beginning of the truce, as well as the garrisons themselves.[21]

Nevertheless, this interpretation of the events of late 1301 does raise a few questions. Most particularly, if Edward knew of the likely conditions of the truce, why did he want to reduce Stirling castle, which would, if captured, have then been handed over to the French unless, of course, he had very little intention of sticking to the agreement? It is quite likely that, with the news of John Balliol’s release, the *raison-d’être* of the truce for Edward was to prevent a French invasion in 1302; equally, the English army’s presence in Scotland would preclude a surprise winter attack on King John’s behalf before the agreement was struck.

Balliol’s release, implying, as it did, the active support of both Pope

Boniface and King Philip, marked the zenith of Scottish achievements in the diplomatic arena. The English king was now firmly on the defensive, even if Scottish military activities were also curtailed. However, this diplomatic success had another important consequence: the return of the earl of Carrick, now nearly twenty-eight years old, to King Edward's peace. It was one thing for the young earl to act as guardian theoretically in King John's name; it was quite another to fight for him if he were to return to reclaim his throne. It is most likely that, while not denying patriotism as a motivation, the main reason behind Carrick's attempt to work with the Comyns in maintaining Scottish government and its military machine was the family's obsession with the throne and the maintenance of their position within Scottish politics generally. Admittedly the Bruce claim to the throne was currently vested in Carrick's father, who remained resolutely on Edward's side, but this does not alter the volumes spoken by Carrick's action in 1302. A free Scotland and a Bruce king were surely synonymous in the minds of the Bruces despite the fact that a free Scotland and a Balliol king were rooted in the minds of most Scots.

The capture of Turnberry in September 1301 may also have influenced Carrick's decision to change sides. The English were now making headway in his own earldom, as well as controlling Annandale itself.[22] Although the silence about his activities throughout 1301 suggests that he was already effectively a neutral figure, the lack of information on Scottish military operations should make us wary of presuming that he failed to attempt to protect his own lands.

He may even have been involved in the siege of Ayr, a few miles up the coast from Turnberry. That siege had probably been lifted by 23 January 1302, on which date Walter Beauchamp, the steward of the royal household, sent a letter to Dalilegh as 'warden of the stores at Newcastle-on-Ayr', commanding him to deliver flour for Beauchamp's own use.[23] The steward was writing from Irvine, ten miles north of Ayr, and such a request would clearly not have been feasible if the Scots had mounted a blockade. If we take this speculation further, it could be suggested that, having failed at Ayr, which could thus continue to threaten Turnberry, Carrick then heard that Edward was about to ratify the truce with the French; the thought of the return of King John was more than his patriotic sympathies could endure.

According to one chronicler, Bruce gave himself up to Sir John de St. John, presumably at Lochmaben. The latter was certainly not with the court at Linlithgow, although he was imminently expected there to help to organise the planned building of a pele, according to a royal letter of 21 February. A petition from Bruce, probably from 1305, implies that he indeed met with Sir John. He was then granted certain conditions, including a grant of Sir Ingram d'Umfraville's lands in Carrick (possibly as a payback for d'Umfraville's replacement of the earl as guardian) 'in the presence of many good people'. Carrick was perhaps then sent on to perform homage to the English king personally.[24]

After Edward's departure for England from Linlithgow on 1 February 1302, Bruce remained there as part of a Scottish council consisting of Sir John Segrave, Sir John Botetourt, Sir Robert Clifford, Sir William Latimer, Sir John de St. John, Sir Thomas Furnivall, Sir Hugh Audley, and Sir Nicholas Malemeyns, who were all issued with victuals by Ralph Benton, the keeper of the store at Linlithgow, on 4 March.[25]

The exact meaning of Carrick's submission terms have been argued over in detail and there is still dispute as to whether *le droit* refers to his claim to the throne, or merely to his Scottish estates. Indeed, as Prestwich points out, the degree of speculation over a document which, by its very nature, should have been unambiguous, suggests that one or both parties involved wished to leave part of it vague.[26] However, it is also significant, backing up Duncan's argument, that the word 'le' is used with 'droit', rather than 'mon', until one remembers that the Bruce claim to the throne did not rest with the earl of Carrick, but with his father; he could not, therefore, refer to it as his own.

It is perhaps useful to speculate what Carrick's submission terms might have been if he had submitted a year earlier, or a year later, when the imminent return of King John was not uppermost in everyone's minds. It is likely that he would have been confirmed in his lands and property on more or less the same terms as those granted to Sir John Comyn, on behalf of the Scottish government, in February 1304. The difference between the earl of Carrick and every other Scottish noble of a similar rank and background was his family's claim to the throne, a claim which Edward was perhaps prepared to recognise, albeit covertly, only at a time when the return of King John with the backing of a French army was a realistic possibility. If that possibility became reality, Edward could have attempted to divide the Scottish nobility by proclaiming Bruce of Annadale as king. There is perhaps only one element in this difficult period about which we can be certain: if Edward gave the Bruce claim to the throne any degree of support, it was only because of the difficult circumstances in which the English king found himself in 1301–2. This was plan B, but plan A had not failed yet.

On 12 and 14 February the king and his council at Roxburgh made various ordinances for the keeping of the garrisons during the truce (see Tables 1–4). The standing army in Berwick town was now relatively small at ten men-at-arms, forty crossbowmen and one hundred and forty archers under Sir Edmund Hastings. However, Sir Alexander Balliol in Selkirk Forest had access to six hundred footsoldiers at four days' warning and one thousand at eight days' warning, should any infringements of the truce take place in that area. It is not clear where these footsoldiers were to come from, although, given the numbers and the time needed to raise them, they were no doubt to be sent at least partly from south of the border. No agreement survives with St. John for the keeping of the western march and the garrisons of Dumfries and Lochmaben. However, he was still paid £150 for his service with sixty

men-at-arms for the Easter term up to 10 June.[27]

As in 1300, no payment was to be made for loss of horses during the period of the truce. It was also ordained that some of the footsoldiers in the garrisons of Roxburgh, Berwick town, Jedburgh and Berwick castle should be carpenters and masons to make repairs to the walls and houses, in the case of the castles, and to begin the construction of a pele and other defences, in the case of Berwick town. Berwick castle was apparently in something of a state. On 17 March 1302 Edward ordered John Droxford, on the advice of Ralph Manton, 'who has seen what is lacking in the said castle, to bring about such repairs as you see should be done'.[28] On 12 and 14 February 1302 detailed ordinances were also made for the building works to be constructed at Linlithgow and Selkirk.

The defects of the royal manor at Linlithgow had come to the king's attention upon his arrival there in October 1301. He thus enlisted the services of eighty-one diggers and ninety-one carpenters from 12 November; cementars, scythers and coverers were also involved in making the 'king's chambers' up till 28 November. The town's defences were to be strengthened with various kinds of crossbows, quarrels and belts sent up from England.

Edward had had plenty of time over the winter to work out his plans for the pele to be constructed around the existing manor house. Sir John Kingston, the sheriff of Edinburgh and Sir Archibald Livingstone, the sheriff of Linlithgow, were appointed 'overseers and ordainers' of the building of a 'forcelette'. A clerk, Henry Brandeston, was appointed to pay the wages of those involved in the building work and each sheriff was to provide a clerk to act as comptroller. The master carpenters were to be Master Thomas Houghton, who had previously resided at Edinburgh, and Master Adam Glasham, who had worked on Edward's first pele in Scotland at Lochmaben. The sheriff of York was to send as many carpenters, masons and diggers as were deemed necessary, and the sheriffs of Edinburgh, Linlithgow, Stirling[29] and Lanark were all to provide carts and wagons.

Lastly, as a measure of the importance and, indeed, the scale, of the works envisaged at Linlithgow, the king sent for the man who had been the architect of the great Edwardian castles in Wales, the Savoyard, Master James de St. George. Both Master James and Master Thomas Houghton had been involved in the works at Beaumaris, where Felton had also served.[30] These building works were clearly intended to raise the status of the existing structure at Linlithgow to that of a castle.[31]

Master James had arrived in Scotland by the end of April and on 23 May an indenture giving exact details of the works to be undertaken was issued. A ditch was to encircle the fortification, as deep and wide as possible so that water from the loch could flow through it. A stone gate and two stone towers had been originally planned, but the king had now changed his mind – presumably because of financial constraints – and 'would have the gates and towers of timber and the peel itself to be built of untrimmed logs'. The tower

of the adjacent church of St. Michael and the church itself were also to be reinforced. Finally, another 'good defensible ditch' was to be made behind the castle from one end of the pele to the other, beyond a ridge near the loch, to protect the new construction from an attack by water. Another palisade was to be constructed on top of the ridge.[32] Progress was swift. By 14 September 1302, it was reported that there was 'nothing to do here, except fourteen perches [75 yards] of 'pele' [palisading] and six brattices [wooden parapets]'.[33]

Despite the success of the actual building programme, the enterprise was still plagued with the usual problems of money, and payments to those working at Linlithgow were soon badly in arrears. In 1303, when the king was planning works at Dunfermline, the Linlithgow men categorically refused to be sent there, because they were owed so much.[34]

Selkirk also required attention because of the basic nature of the structure currently in use. The first reference to a castle there occurs as early as 1120, in the foundation charter of Selkirk Abbey. The royal burgh, situated below the junction of the rivers Ettrick and Yarrow, grew up around the castle at an unknown period before 1366. The castle itself was a favourite royal residence of the early kings of Scots – William the Lion issued at least twenty-seven charters while staying there.[35] However, an earthwork located in the grounds of a Georgian mansion house on the outskirts of the town is all that remains of both the early castle and the Edwardian pele constructed in 1302. The tower dominating both was placed on the summit of this mound, which has a diameter of 40 feet.[36]

The detailed plans envisaged for Selkirk were very similar to those for Linlithgow although the use of stone suggests that the former was intended to be a more impressive edifice than that at Linlithgow, perhaps because of its importance to the security of the Forest and function as a westerly addition to the important network of garrisons of the south-east: Berwick, Roxburgh, Jedburgh and Edinburgh. Sir Alexander Balliol and Sir Robert Hastangs were to oversee the work, and the clerk, William Rue, was to be responsible for paying wages and 'attendant expenses'. Balliol and Hastangs were also each to provide a comptroller. Master Reginald the engineer, who was usually at Berwick, and Master Stephen of Northampton were appointed as master carpenters. The sheriff of Northumberland was to send enough carpenters, diggers and masons for the work and sufficient carriage for transporting the 'necessary materials'; Balliol and Hastangs were also to provide workmen and carriage.[37] By September the work was not quite completed:

The tower of the fortress is finished, except the roof, from a lack of 'plunk' [planking]; a postern is made out of the same to the west, faced with stone; a drawbridge and portcullis, with a good brattice above; the stone work of said bridge is half finished. And fourteen perches [75 yards] of 'pele' have been completed from one part of the tower to the other. There are forty-

three perches [237 yards] of 'pele' yet to make. The stone work of the main gate of the fortress is raised above ground to the drawbridge.

These figures suggest that the new structure covered about a couple of acres in area, at a total cost of £1372 13s. 10d.[38] The reason for the delay may be connected with continuing Scottish attacks; certainly, on 6 June 1301, Sir Robert Hastangs, as 'keeper of our works at Selkirk', was paid 100 marks to make an expedition 'without delay'. Five months later, on 8 November, £200 was issued by the exchequer at York, together with twelve crossbows and all equipment pertaining to them, to be taken safely to Roxburgh in dangerous conditions to Sir Robert Hastangs for the works at Selkirk.[39] Although the Forest was not such a problem for the English garrisons as it had once been, its security could not be guaranteed.

1302 began well for the Scots. A Scottish parliament met at Scone on 23 February and was informed of Bishop Lamberton's success in including Scotland in the Anglo-French truce of Asnières.[40] The defection of the earl of Carrick presumably came to the attention of his erstwhile colleagues around this time. Although this certainly meant that the earldom's 'army' could no longer be called out on behalf of King John,[41] we should not presume that his defection was hugely significant: Bruce was both a particular case and already something of a political has-been, rather than the thin end of the wedge.

If anything, there was more evidence during this year for the devastating effects of Scottish activities, particularly in terms of cross-border raiding. On 14 August 1302, the sheriff of Northumberland was ordered to choose a coroner in place of one Nicholas Middleton 'whom the king has caused to be amoved from the office as it is testified before the king that Nicholas's lands have been much destroyed and wasted by the Scots . . .' Ten days later Edward also informed the chancellor that the people of Northumberland were excused from their duties of castleguard at Newcastle because their lands had been '. . . destroyed by the Scots enemies'. In October, the sheriff of Cumberland, Sir William Mulcastre, sought respite for just over half of the £222 9s. 11d. which he owed to the exchequer, claiming that he had not been able to levy this money 'as the county was so wasted and destroyed by the Scottish war'.[42]

The Scots should not, of course, have inflicted this damage in 1302, because of the truce, and the above could refer to Scottish activities in any year between 1298 and 1301. However, this may be evidence of a long-standing, and surely systematic, policy, undertaken either officially or privately, of attacking, terrorising and destroying the lands and people of the north of England. Though King Robert Bruce adopted this policy and, as he so often did, made it his own, it had become a feature of this bitter war since 1297.[43] The inhabitants of Northumberland and Cumberland, particularly, were caught between the rock of Edward's continuing demands to sustain the English war effort, and the hard place of being on the front line when the

Scots crossed the border.

The dates of the indentures for Linlithgow and Selkirk (12 and 14 February 1302) are extremely significant when it is remembered that the date set for the handing over to the French of the castles captured during the previous campaign was 16 February 1302. This building activity, together with the garrison indentures, make it fairly clear that Edward had no intention of handing over castles to the French. There is no way of telling, of course, whether or not he had ever meant to adhere to this part of the truce. Given the number of castles recaptured late in 1301, his inclination would surely have been to default if he could possibly get away with it. Presumably as the winter progressed and there was no sign of a French expedition on behalf of King John before the ratification of the truce, Edward began to feel confident enough to ignore the 16 February deadline and retain the castles taken the previous year.

This policy was vindicated less than six months later when the Flemings defeated the French army at Courtrai on 11 July 1302, destroying all hopes that Philip IV would take direct action in Scotland on behalf of King John.[44] Although the English king could not have predicted such a defeat, he may have been ready to call King Philip's bluff, based on the shrewd suspicion that the French rarely wished to expend much cost and effort – as opposed to diplomatic pressure – on the Scottish cause. To make matters considerably worse, papal pressure on the English king had also eased by the end of 1302 as a result of the worsening quarrel between Boniface VIII and King Philip, re-establishing King Edward as an attractive papal ally. Indeed the pope now turned directly on the Scottish church, supporting Edward's claims; the Scottish bishops were encouraged to submit and the bishop of Glasgow was explicitly ordered to cease his rebellious activities.[45] It would be naïve to suggest that the support of these important European powers for Scotland had ever been based on altruism rather than pragmatism; now both had need of England. The Scots were equally motivated by political expediency and doubtless had little sympathy for the burghers of Flanders and their blow for freedom against the French at Courtrai. In practical terms, the battle was now once more entirely dependent on the war of attrition being played out in Scotland itself, a battle that neither side could really be said to be winning.

In the meantime, the truce of Asnières was perhaps indirectly responsible for the finalisation of the town-planning exercise for Berwick which had been initiated to so little effect in 1296: even though the new English burgesses in the town were responsible for reviving Edward's interest in the town, the truce provided him with some time to reconsider matters which had moved to the bottom of the pile during the years of war.

On 4 July 1302 the king ordered an inquest to be held 'to inquire by what services a burgage and four 'places' are held by Nicholas Carlisle, the king's serjeant in Berwick, and whether forty acres lying between said town and its

fosses [ditches] . . . might be granted, without damage, to Nicholas to hold of the king'. The policy of giving garrison members (such as Carlisle) a stake in the communities of which they were, to begin with at least, an obviously alien part, was clearly in operation in Berwick.

The inquest was held on 30 July before Sir Walter Amersham, the chancellor, Sir Edmund Hastings, warden of Berwick town, and Sir John Burdon, the sheriff, by a jury of sixteen. These sixteen asserted that Nicholas Carlisle held the burgage 'which was Ralph Phelipe's' and three places belonging to the bishop of Moray, William the Scriptor and Henry Stirling. These four had presumably forfeited their lands during the course of the war. As for the forty acres it was asserted that they were held

in the late King Alexander's time by various burgesses of Berwick freely without any *reddendum* [payment], as is pertinent of their burgages, and when the said burgh was founded [pre-1124] they were given to the burgesses to build, if any wished to do so, and there are streets in said ground arranged for this.

Now, however, these lands were held by 'various burgesses of the king of England for a yearly payment of 2s.'

These 'various burgesses', numbering thirty, are named and include the main English officials in Scotland, including Amersham, the chancellor, Sir John Weston, the receiver, and Master Robert Heron, the comptroller and keeper of the customs at Berwick. Five were English burgesses resident in Berwick, who also sat on the jury of inquest. The remaining twenty-two included Reginald the engineer, currently at Selkirk, and two ship owners, John Spark of Newcastle and John Packer of Sandwich, who had served the king faithfully over the years in bringing up supplies to the north. Edward, it seems, had been successful in making Berwick a base for those who had formed the backbone of English activities in Scotland.

Though four of the jurors appear to have been burgesses of Berwick before 1296 – as the tone of their findings also suggests – none of those holding land in the forty acres can be described without doubt as longstanding Scottish inhabitants of the burgh. Though technically the term 'burgesses of the King of England' now applied equally to any 'British' burgess, it is highly likely that these thirty burgesses were those sent north in 1297. But, no matter how recently they, or the other jurors, had come to the town, they did not mince their words on the subject of the future of the burgh. It was categorically stated that:

this ground cannot, without the greatest injury to the king and the confusion and destruction of the aforesaid town be held wholly [*integre*] by Nicholas or any other; for he might build as good or a better town there than the present and the burgesses have no other place within or without their town where they can have a handful of grass or pasture, or any other easement,

except these forty acres, whereon all the burgesses, both small and great, have common pasture in open time by use and wont, and they [the 40 acres] are divided in small divisions as in the time of King Alexander among the burgesses.[46]

This was not the only petition addressed to Edward by the burgesses of Berwick in this year. Of far more importance was their quest for a charter of liberties, because 'they are new men come into the town and had and have great need of the king's aid and have several times asked him, for his own benefit and the profit of his town of Berwick, as well as of the burgesses inhabitant'. Edward had, in fact, promised them certain franchises when he was at Roxburgh en route for England in February 1302. This had resulted in a further influx of 'merchants and sufficient persons' to the burgh.[47]

As a result of this petition, Edward granted Berwick a charter of privileges on 4 August 1302. These consisted of the right to be a free burgh, with burgesses and a merchant guild and 'Hanse' (guild entry fee), the right to elect a mayor and four bailiffs yearly, as well as a coroner. The burgesses were also permitted to have a prison within, and a gallows without, the burgh, as well as a twice-weekly market on Monday and Friday, and a fair each year from 3 May to 24 June.

This charter of privileges restored to Berwick the rights and privileges which it had long enjoyed – there had been a provost, burgesses and common seal attached to the burgh since at least 1212[48] – and a mayor and commune since 1235 – many of which, presumably, had fallen into abeyance during the difficult circumstances caused by the conquest of 1296. A letter was sent to the keeper of Berwick town, Sir Edmund Hastings, on the same date, informing him of these rights and privileges and ordering him to present the new mayor to the chancellor of Scotland, as Edward's representative, to make his fealty. Hastings was then ordered 'not to intermeddle further in the custody of the town'.[49]

Having been awarded the status of a free borough, Berwick was now included among the other English trading centres for administrative purposes. Thus, on 13 August 1302, John Spark and William Brown, two of the 40s. acre burgesses, were appointed as 'collectors and receivers in ports of the new customs of 2s. a barrel, which the merchant vintners of the duchy [of Aquitaine] have granted to the king, in addition to the old customs'.[50] Berwick was now effectively in England.

It could be argued that the granting of this charter of liberties at the prompting of the burgesses indicates a degree of confidence in the extent of English control of this furthermost south-eastern corner of Scotland. There is likely to be much truth in that, although doubtless if the military situation had degenerated once more, it would have been necessary to restore the burgh to military control.

Berwick's good fortune was not the only indication that the previous year's

military gains were being translated into corresponding advances in administrative control. Thomas Fishburn, a former keeper of the Rolls of Scotland, chose this year to petition the king again regarding the restoration of '20 marks of yearly rent in Ednam in the sheriffdom of Roxburgh'. He had been regranted it in 1296 but Surrey had been unable to enforce the king's writ. Whether or not Fishburn's perception of increased English authority was accurate is, unfortunately, impossible to say. Given that Sir John de St. John, who was given the writ to execute, died a few weeks later, it is likely that poor Thomas remained bereft of his twenty marks; on the other hand, the fact that there is no evidence that he petitioned the king later – when most such outstanding demands were mostly made – suggests that he was successful in 1302. The important point is that he considered it worthwhile to make the petition in the first place.[51]

On 15 August 1302, in the indenture setting out the arrangements made with Sir Walter Burghdon for the keeping of the sheriffdom of Lanark, it was stated that 'Sir James Dalilegh, the escheator there, is to inquire and certify . . . what sum Sir Walter has received in his bailiwick and deduct the same'.[52] Dalilegh, more usually the receiver at Carlisle, had probably been appointed escheator – a noticeably Scottish office – in 1301, when the English grip on the south-west was extended into Lanarkshire and Ayrshire.

However, the mere fact that, as escheator, he was supposed to account for the issues of lands in English hands does not mean that there was actually much revenue to account for. Edward's edicts were quite often more hopeful than realistic. Professor Barrow has certainly suggested that the orderly set of accounts produced by Dalilegh in his office as escheator for regnal years 31 and 32 (20 November 1302 to 29 November 1304) shows that 'whenever the English won any Scottish territory they were able to use an established revenue-collecting and accounting system'. However, this set of accounts – the first of its kind since Edward laid claim to ruling Scotland directly – began only in the Martinmas term (c. 11 November) for 1303, when the conquest of Scotland was once more within his grasp. Even then, it was noted in a number of cases that lands, even in Lanarkshire, were unable to be accounted for in the previous Pentecost term because they were 'in the hands of the Scots'. It is therefore highly likely that Edward's officials, with the exception of the sheriff of Edinburgh, had not been able to make a coherent account of the potential revenues of their bailiwicks before late 1303, although small amounts were undoubtedly collected. However, Professor Barrow may well be correct in asserting that 'the Scots . . . must have been able to keep this system in operation', though to what degree is, of course, impossible to ascertain for lack of evidence. They had to pay for the war effort somehow.[53]

It would be wrong to suggest that Edward's officials were unaware of the need to administer their offices effectively and impartially. However, there were undoubtedly conflicting attitudes among royal officials, highlighting the fact that this was still a war situation. In September 1302, Edward received

two letters, from Sir Robert Hastangs, sheriff of Roxburgh, and Sir Hugh Audley, the keeper of Selkirk Forest. The pair had recently been involved in the pursuit of a number of thieves in the sheriffdom of Roxburgh.

According to Audley, whose letter reached the king first, an arrangement had been made between himself, the sheriff of Roxburgh, the latter's brother, Sir Richard, and Sir Alexander Balliol, 'that they should attack at three points the moor of Alkirk (near Selkirk) in which some robbers infesting the county of Roxburgh had taken refuge'. Audley and his foresters came across them first 'in a house' and captured them all when they fled, returning to the house to collect the stolen cattle. Hastangs, as sheriff, then demanded that Audley hand them all over. 'As he [Audley] wished to avoid strife, he gave up the beasts but kept the prisoners till he knew the king's will. The foresters pray the king for the goods of the resetter [the fence for stolen goods], as others have what they can gain on the enemy'.

Hastangs' version of these events was basically the same, with the additional information that the twelve thieves captured by Sir Hugh 'in one of their greatest retreats' had already been indicted before him as sheriff of Roxburgh. Though Audley gave up 'a part of the bestial', the thieves had been sent 'to the prison of Berwick or Bamburgh, he [Hastangs] does not know which'.

As Hastangs himself puts it, Sir Hugh 'claims them and their ransom as prisoners of war, under the king's grant of what he can gain upon the enemy'. The sheriff, however, asserted that 'they are common and notorious thieves and have made such riot in the county that the people told him that they expected him to clear them out'. Hastangs wanted them returned to prison at Roxburgh 'or he will find no man in the county willing to obey him after his authority has been defied'.[54]

This was a classic catch twenty-two situation. Audley and his men, in Selkirk Forest, were, or at least had been, in the middle of a war zone and regarded the potential, albeit limited, profit to be made from this conflict as a condition of service. Indeed, the extent to which individual officers were forced to use their own money in the king's employ meant that some form of return from the enemy was the least that could be expected.

Hastangs had a quite different perspective on this issue: he had been sheriff of Roxburgh now for five years and the local population were presumably used to the idea that if any justice was to be done, he was the man to do it. Criminal activity did not stop just because there was a war on; indeed, the collapse of normal government tended to make theft in particular both more lucrative and easier to get away with. And, of course, Wallace and subsequent Scottish leaders had given cattle-reiving the kudos of a patriotic endeavour. For the inhabitants of Roxburgh, the issue was equally simple: their goods had been stolen and their acceptance of Hastangs' administration and, through him, that of Edward himself, depended on the sheriff's ability to bring the perpetrators to book. If only we knew the king's judgement on the subject.

However, the most substantial example of an increasingly confident English administration was the court held at Linlithgow between 8 October and 5 November 1302 in the presence of Master James de St. George as lieutenant of the keeper of the town, Sir Archibald Livingston, and Sir William Felton, constable of the castle. It is not entirely clear whether this was a burgh court, or a shrieval one, since Livingston was both keeper of the town and sheriff.

A variety of crimes and misdemeanours were brought before the court and a few Scots can be seen taking advantage of this opportunity to receive justice, although Englishmen also sued Scotsmen. However, the most interesting case concerned an action brought by Christina of Edinburgh against Master Adam Glasham, one of the master carpenters. He was accused of 'unjustly keeping from her a plumb-line, to her damage'. Adam claimed the lead was his. Interestingly, Christina's pledges were both members of the garrison, Master Thomas Houghton, the other master carpenter, and Adam Tyndale. Glasham was found guilty and he and his pledges ordered to be fined.

But Glasham then allegedly compounded his crime by beating up Christina. When he was brought back to court, he then made a plea of *essoin* (excuse) against her, but she challenged the validity of this plea because 'according to the law of Scotland, after the law had given bail, essoin should not be allowed'. That particular hearing was adjourned, presumably to allow the English officers to find out if Christina was correct about the legal position. However, Glasham managed to avoid subsequent court hearings by pleading illness and there are no records of any further proceedings.[55]

Despite earlier accusations against Edward's regime, the English officials running this court do appear to have made an effort to be even-handed, as witnessed by the fact that a local woman, supported in her testimony by two members of the garrison, was successfully able to prosecute another garrison member. Not only that, but the reference to essoin makes it clear that it was expected that those making judgement would adhere to the laws and customs of the northern kingdom, rather than English practice.

This cannot have been easy for the Edwardian government to accept, given that the majority of officials like St. George and Felton were presumably unversed in Scots law and would thus be dependent on native experts. Nevertheless, the fact that they were prepared to tolerate Scottish sensibilities on this issue – as had not been the case in 1296/7 – indicates the degree to which this reconquest relied on a two-way relationship between 'victors' and 'vanquished'. Christina's original involvement with the garrison, together with the activities of Eva of Stirling, indicate that that relationship went on at all levels, although the fact that both of these examples involve women might lead to some interesting conclusions about gender, patriotism and pragmatism if it were not for the fact that two is really too few from which to draw conclusions.

Basic economics – the need, above all, to make a living and provide for

dependents – meant that those for whom the English presence was now a permanent reality would find it difficult to avoid interaction and co-operation, promoting, ultimately, acceptance. Though it could be argued that such evidence has merely chanced to survive for this year rather than other years, it is far more likely that it does represent an increased ability, in certain restricted areas, to maintain a normal administrative environment. The gains of the previous few years derived less from the establishment of nominal English control throughout more of Scotland than in the removal of the Scottish government's ability to challenge Edward's rule in the areas which had long been dominated, but not completely convinced, by the English presence. The king knew what he was doing in singling out the 'middling folk'.

Edward's demands on his own subjects, though certainly lightened by the truce and the absence of a campaign, by no means disappeared altogether, not least because of the backlog of debt from previous years. For example, the Welsh troops who had served with Prince Edward in 1301 were supposed to receive the £4000 owed to them as wages from the fifteenth to be raised in the counties of Hereford, Gloucester, Worcester, Devon, Warwick, Leicester, Shropshire and Stafford in 1302. Unfortunately this was still not enough and, on 13 June 1302, the exchequer was ordered to assign even more counties to make the payment 'so that the king can have them [the Welsh] at other times more readily for his business'.[56] By this point in the war, expediency, rather than one's place in the payment queue, played the most crucial role in dictating where hard-pressed royal issues were spent.

The garrisons also obviously needed to be paid for. On 2 May 1302 Sir Walter Amersham, described again as chancellor, and Master John Weston, the paymaster, were ordered to lay out £536 13s. 4d. on the second instalment of wages for the Easter term (9 May – 1 June), indicating that the men-at-arms were certainly being paid in advance. This was divided among Sir John de St. John and his retinue, and the garrisons of Berwick town, Berwick castle, Roxburgh, Jedburgh, Carstairs, Edinburgh and Bothwell. £200 was also to be sent to Linlithgow and Selkirk for the works there. The total expenditure equalled £547 1s. and the shortfall was to be met, in the case of the garrisons of Berwick, Roxburgh and Jedburgh, from the issues of these areas.[57]

Payment was also to be made to Sir John FitzMarmaduke, keeper of the earl of Lincoln's lands of Strathgryfe. On 15 February, he was issued with a full month's wages while he was still with the king at Roxburgh. At the end of that month, and for each month following, the money was to be sent to Edinburgh, from there to Carstairs and then on to Bothwell, where Sir John would pick it up. This excessively complicated procedure presumably indicates that the king did not feel happy about transporting money via the store at Ayr, and thus it had to come from Berwick. Indeed, FitzMarmaduke's job was explicitly 'to save this land [Strathgryfe] and the surrounding area'.

He could not yet run it effectively.[58]

Even though the truce ruled out a campaign, purveyance was still required for the garrisons. One-third of the supplies collected in England was to be sent to Berwick, while the rest was to be delivered to Edinburgh. The advances made in the last year are reflected in these arrangements – the new garrisons at Linlithgow, including the workmen building the pele, Carstairs, Bothwell and even the earl of Lincoln's men in Strathgryfe were probably all supplied from the east; Edinburgh, which was nearer to them than Berwick, thus became more important as a store. The western garrisons of Dumfries, Lochmaben and Ayr were to be provisioned from Ireland.[59]

By 1302 Edward, rather over-confidently, had decided that those to whom he had granted lands in Scotland should provide castleguard, men-at-arms for duty in the garrisons there.[60] Fifty-one individuals, who included the earls of Lincoln and Warwick and Sir Walter Beauchamp, Edward's steward, as well as those, like Sir John de St. John, Sir Robert Clifford, Sir Henry Percy, Sir John Kingston, Sir Robert Hastangs and Sir John Burdon, who had served, or were still serving in Scotland, were to provide the services of one hundred and fifteen men-at-arms. Obviously this would prove a considerable saving to the crown.

However, it is clear from the memoranda concerning these troops that the arrangement was by no means entirely successful: thirty-two were recorded as 'not yet come'. As Professor Prestwich states: '. . . it is not surprising that no more was heard of this particular system', although it must be noted that the majority were forthcoming. However, the important point to be drawn from the failure of men such as St. John and Beauchamp, whose loyalty to the crown is beyond question, to provide their quotas is that they were not yet in possession of the lands for which they were to provide this service.[61]

The fleet was another element of the military machine that was required to provide its service whether or not there was to be a campaign, again simply because the garrisons needed supplies all year, every year. Edward was prepared to be lenient towards the Cinque Ports in particular, simply out of need;[62] however, the one offence which he was more than ready to punish was the non-fulfillment of promised quotas.

The unprecedented regularity with which service was now demanded ensured that by 1302 many ports were refusing to send their ships. On 10 August 1302, therefore, two royal clerks were appointed to punish the townsfolk of no less than thirteen ports, including Portsmouth, Southampton and Plymouth, who had been ordered to supply a total of fourteen 'well-armed' ships for an expedition in that year. They had apparently taken 'no measures to do so, to the harm of that expedition' though it is not clear exactly what military endeavour – which would have blatantly broken the truce – this refers to.

At the end of the same month, an inquiry was ordered into the conduct of the men and mariners of one of the ships from Bristol, the *Michael*, 'who

came in the company of the other ships towards Scotland on the king's service, and, after receiving the king's wages at Dublin, withdrew without leave'.[63] Such audacious behaviour was quite unacceptable. This point was made to the recalcitrant sailors and on 13 November the constable of Bristol castle was ordered to release them because they had promised to serve the king 'faithfully' on his next expedition.[64] As was so often the case, Edward's need was greater than his wrath.

As the end of the truce (1 November) approached, further arrangements were reached with the various garrison commanders and their men to guarantee their services from 1 September until Christmas.[65] Sixty of the four hundred and eighty-five men-at-arms were provided by those holding lands in Scotland. Each castle's store of provisions and military equipment was also checked, and any insufficiencies were remedied. The numbers stated for each garrison in the surviving indentures (see Tables 1–4) indicate that there was little or no increase from the truce level, despite the expected resumption of hostilities.

However, Sir John de St. John's retinue was increased from sixty to seventy-one men-at-arms. Their brief was 'to make mounted expeditions and to stay in the garrisons of the castles of Dumfries and Lochmaben', again suggesting that a strict adherence to the terms of the truce was not considered a priority. Sir William Latimer and Sir John Segrave, based at Roxburgh and Berwick respectively, were appointed specifically 'to make horsed expeditions in various parts of Scotland as necessary', with a total of ninety-one men-at-arms between them. This was in addition to the usual force of seventeen men-at-arms, forty crossbowmen and one hundred and forty archers who remained stationed within Berwick town. The keepers of the castles of Linlithgow, Edinburgh, Jedburgh, Roxburgh and Berwick town were all to be allowed full wages while engaged on chevauchées (mounted expeditions) outside their own areas of jurisdiction, to be deducted from their *certa*.[66]

As the end of the truce approached, much had changed since its outset, although that was perhaps not particularly obvious within Scotland itself. Yet there was still nothing inevitable about victory for King Edward. Despite the extremely disappointing diplomatic setbacks, the Scots could pride themselves on having contained the English south of the Forth/Clyde line for the past five years; despite, or rather, because of, Edward's military gains, the supply line was, if anything, in a worse state than ever. However, the stakes for both sides were increasing: by the end of 1302 the Scots had no immediate hopes of the return of their king, in whose name this war was being waged; Edward, on the other hand, though now free of diplomatic obstacles, was finding it more and more difficult to raise the required resources and needed to finish the Scots off once and for all. Despite the truce, which had worked out well for the English, the financial burden was becoming almost unbearable.

But such problems cannot have been restricted to Edward's exchequer;

presumably the Scottish government was also finding it difficult to sustain an apparently endless war, though we will never know the details. The status quo was perhaps still an option, but 1302 provides sufficient evidence to suggest that, while Edward's subjects had complained longer, many Scots had now reached the point where they would protest loudest. And that meant that Edward's regime was finding increasing acceptance among the people of lowland Scotland, so long as the reward was firm and effective, though not too heavy-handed, government.

NOTES

1 *Foedera*, ii, p. 892.
2 *CPR, 1292-1301*, p. 616.
3 *CDS*, iv, p. 454.
4 *CDS*, ii, no. 1121.
5 See above, p. 51.
6 *CDS*, ii, nos. 1234, 1236, 1293.
7 E101/9/18, m. 2; *CDS*, ii, no. 1190.
8 *CDS*, iv, p. 450; E101/68/1, m. 16; *CDS*, ii, no. 1598.
9 *Ibid*., no. 1257.
10 S. Cruden, *The Scottish Castle* (Edinburgh, 1960), p. 70.
11 *Kelso Liber* (Bannatyne Club, 1846), i, no. 193.
12 E101/9/16, m. 1 dorso.
13 E101/13/17, m. 26.
14 E101/364/13; E101/684/46, m. 5.
15 *CDS*, ii, no. 1264.
16 E101/9/2.
17 Barrow, *Bruce*, pp. 119–120; see also RRSV, p. 200.
18 Palgrave, *Documents*, i, pp. 243–4.
19 *CDS*, ii, no. 1247; *Itin.*, p. 178.
20 R.J. Goldstein, 'The Scottish Mission to Boniface VIII in 1301', *SHR*, lxx (1991), pp. 1–16; Barrow, *Bruce*, pp. 116–9; Prestwich, *Edward I*, p. 495; Stones, *Relations*, no. 32. John Balliol's son, Edward, was still in custody in England, but if the pope demanded his release, there would be little, other than engaging in delaying tactics, that Edward could do to stop it.
21 Prestwich, *Edward I*, p. 494.
22 There is no evidence to suggest that Bruce of Annandale, now permanently resident in England, was in receipt of any of the issues of his lordship, nor, indeed, had anything to do with Annandale at all; on the other hand, the English exchequer certainly received money from the lordship in 1300: see above, p. 115.
23 *CDS*, ii, no. 1281.
24 Trivet, *Annales*, p. 397, n. 7; E101/371/21/32; *CDS*, ii, no. 1657.
25 *Itin.*, p. 182; E101/10/18, part 2, m. 170.
26 Barrow, *Bruce*, pp. 122–3; A.A.M. Duncan, 'The Community of the Realm

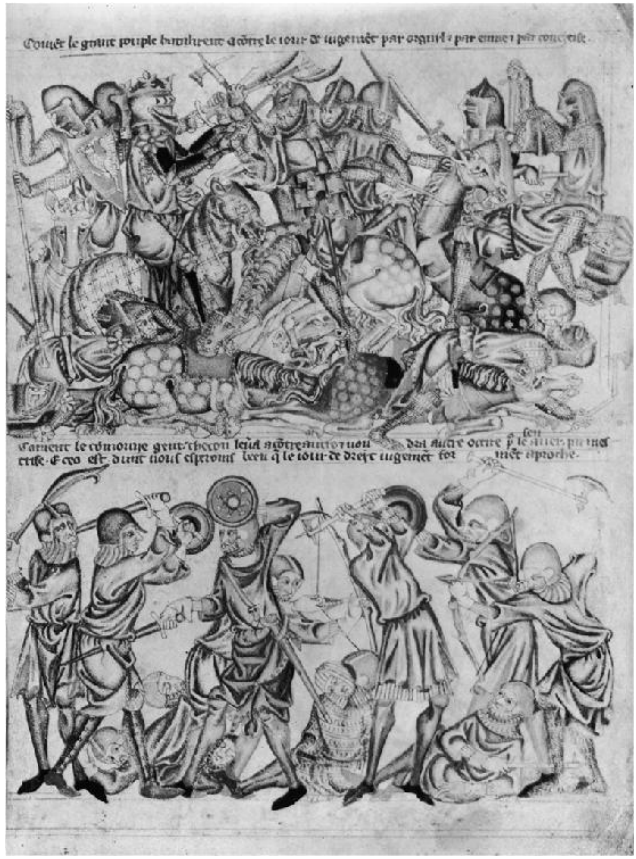
of Scotland and Robert Bruce', *SHR*, xlv (1966), pp. 195–8; Prestwich, *Edward I*, pp. 496–7.
27 E159/75, m. 16.
28 E101/68/1, mm. 14-25d; E159/75, m. 17.
29 Sir Archibald Livingstone was also sheriff of Stirling, in name at least, prior to the capture of Stirling castle from the Scots in 1304: *CDS*, ii, no. 1457.
30 E101/68/1, m. 23; A.J. Taylor, 'Thomas de Houghton', *The Antiquaries Journal*, xxx (1950), p. 31.
31 Stevenson, *Documents*, ii, pp. 394–7; Taylor, 'Thomas de Houghton', p. 30.
32 A.J. Taylor, 'Master James of St. George', *EHR*, lx (1950), pp. 449–50; Brown, Colvin & Taylor, *The History of the King's Works in Scotland*, i, p. 413.
33 *CDS*, ii, no. 1324.
34 *Ibid*., no. 1412.
35 RCAMS, *Selkirkshire*, fifteenth report (HMSO, 1957), pp. 4, 11; A.T. Simpson and S. Stevenson, *Historic Selkirk: the archaeological implications of development* (Scottish Burgh Survey, 1981), pp. 1, 4.
36 RCAHMS, *Selkirkshire*, pp. 4, 46; Simpson & Stevenson, *Historic Selkirk*, pp. 1, 4–5.
37 *CDS*, ii, no. 1288.
38 Ibid., no. 1324; RCAHMS, *Selkirkshire*, p. 48.
39 E159/75, m. 7; E159/76, m. 68.
40 *APS*, i, p. 454.
41 See Barrow, *Bruce*, p. 124; *Melrose Liber*, i, no. 351.
42 *CCR, 1296–1302*, 548; *CDS*, ii, no. 1319; *CDS*, ii, no. 1229.
43 See, for example, C. McNamee, *The Wars of the Bruces: Scotland, England and Ireland, 1306–1328* (East Linton, 1997), Chapter 3.
44 Barrow, *Bruce*, p. 124.
45 *CDS*, v, no. 287.
46 *CDS*, ii, no. 1313.
47 CM. Fraser (éd.), *Northern Petitions, Berwick, Cumbria and Durham*, vol. 144 (Surtees Society, 1981), no. 13.
48 Duncan, *Scotland: The Making of the Kingdom*, pp. 494–6.
49 Stevenson, *Documents*, ii, pp. 443–4; *CPR, 1301–1307*, pp. 60–61; *CDS*, ii, no. 1314.
50 *CPR, 1301–1307*, p. 78.
51 *CDS*, ii, nos. 526, 832, 853; *CCR, 1296–1302*, p. 545.
52 *CDS*, ii, no. 1321 (6).
53 Barrow, *Bruce*, p. 105; *CDS*, ii, no. 1608. Despite the appointment of an escheator, Edward's officials continued to use English terminology – Martinmas and Pentecost.
54 *Ibid.*, no. 1227.

55 Stevenson, *Documents*, ii, pp. 393–8.
56 E159/75, mm. 10, 20.
57 Ibid., mm. 16,74.
58 E101/68/1, m. 19.
59 *CPR, 1301–1307*, p. 35.
60 Castleguard was a traditional duty required of landholders.
61 E101/10/5; E101/10/10; M. Prestwich, 'Colonial Scotland: The English in Scotland under Edward I', p. 9.
62 See Nicolas, *A History of the Royal Navy*, i, p. 280, for an account of the violent and costly quarrel between the Cinque Ports and Yarmouth.
63 *CPR, 1301–1307*, pp. 52–3.
64 *CCR, 1296–1302*, p. 564.
65 E101/13/34, m. 18; E101/10/15.
66 E101/9/13, mm. 1–2; E101/9/30, mm. 16–29.

1. A rather youthful and almost affable-looking Edward I. *Reproduced by permission of the*

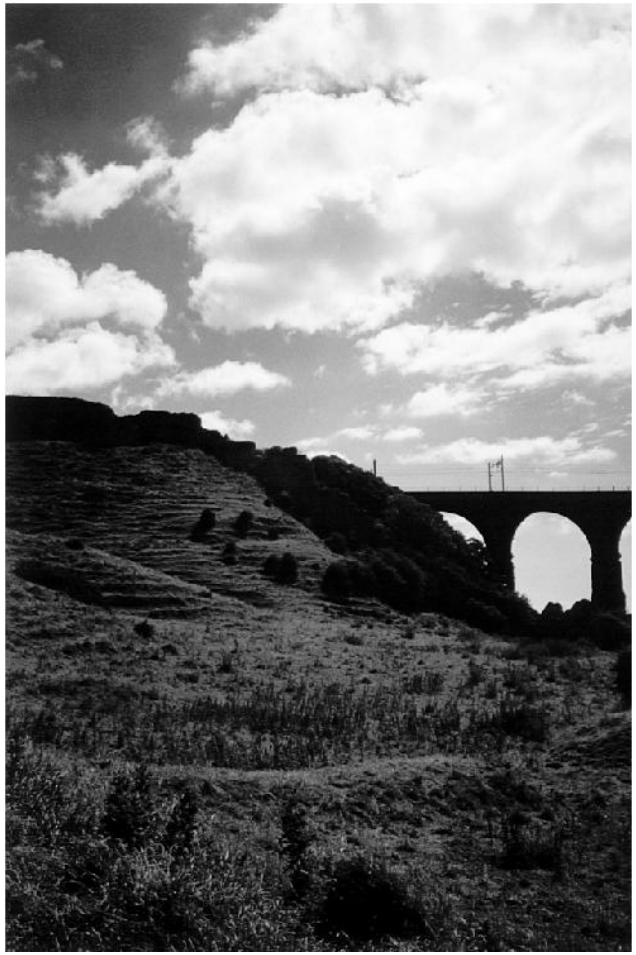
British Library (Royal MS 2A XXII f219v)

2. King John swearing homage and fealty to a rather more implacable Edward I, leaving no-one in any doubt as to who was boss. *Reproduced by permission of the British Library (Royal MS 20c vii f28)*

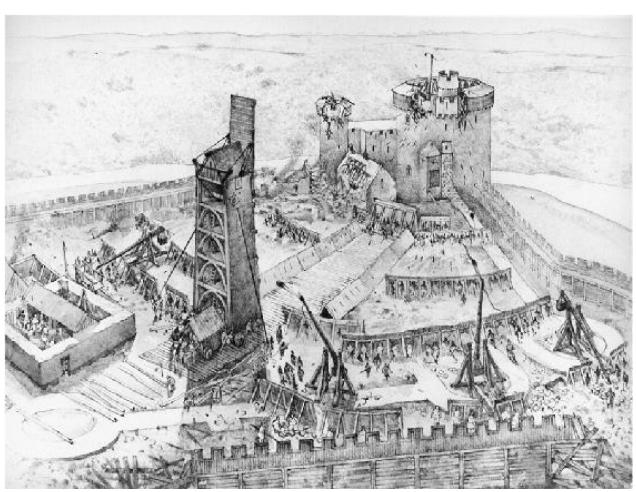


3. The inglorious face of war: mass death and destruction at Berwick in 1296. However, such scenes of carnage were probably all too familiar to the average foot-soldier. *Reproduced by permission of the British Library (MS Add. 47682, f40).*

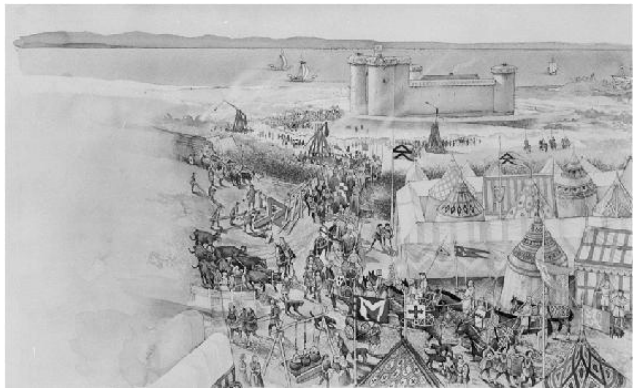
4. An evolving constitutional position. Warrant of Edward I as overlord of Scotland, using the seal of the guardians. After the conquest of 1296, Edward had his own seal made. *Reproduced by permission of the Keeper of the Records of Scotland.*



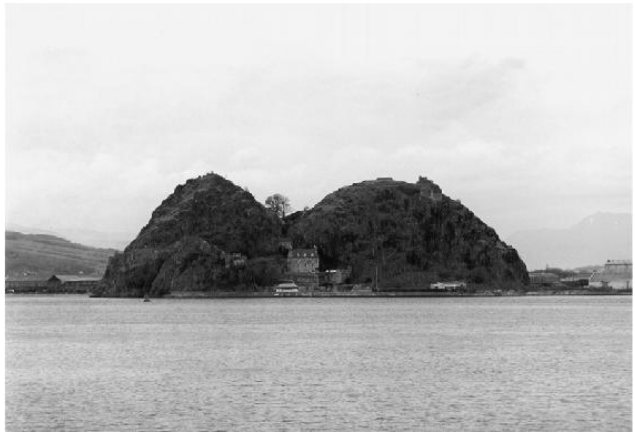
5. The paltry remains of the nerve-centre of English-occupied Scotland - Berwick castle. The great hall, where judgement on the Great Cause was given, is now the railway station. *Photograph: author's own.*



6. The siege of Bothwell castle, showing just how busy the engineers were. *Reconstruction drawing by David Simon, courtesy of Historic Scotland.*



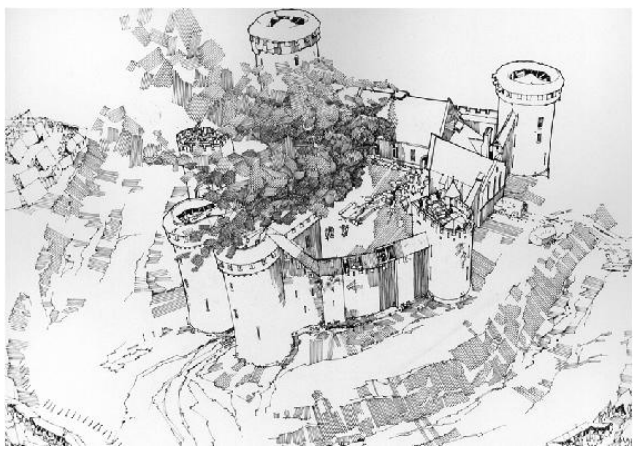
7. The siege of Caerlaverock castle. While the engineers were on overtime, this siege provided very little opportunity for Edward's knights to indulge in deeds of derring do. *Reconstruction drawing by David Simon, courtesy of Historic Scotland.*



8. Dumbarton castle, controlling the fords across the Clyde. Many an English officer forced to submit to Sir William Wallace spent some time here in less than comfortable conditions. *Courtesy of Historic Scotland.*

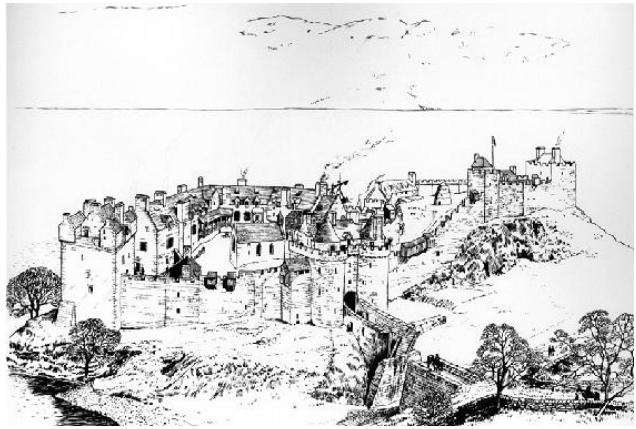
9. Dirleton castle, captured by Bishop Antony Bek before the battle of Falkirk in 1298 and garrisoned with English soldiers thereafter.

10. Stirling, Scotland's most strategic castle, which, unsurprisingly, changed hands more often than any other. It is also not surprising that all the main battles of this period took place within sight of its walls. *Courtesy of Historic Scotland.*



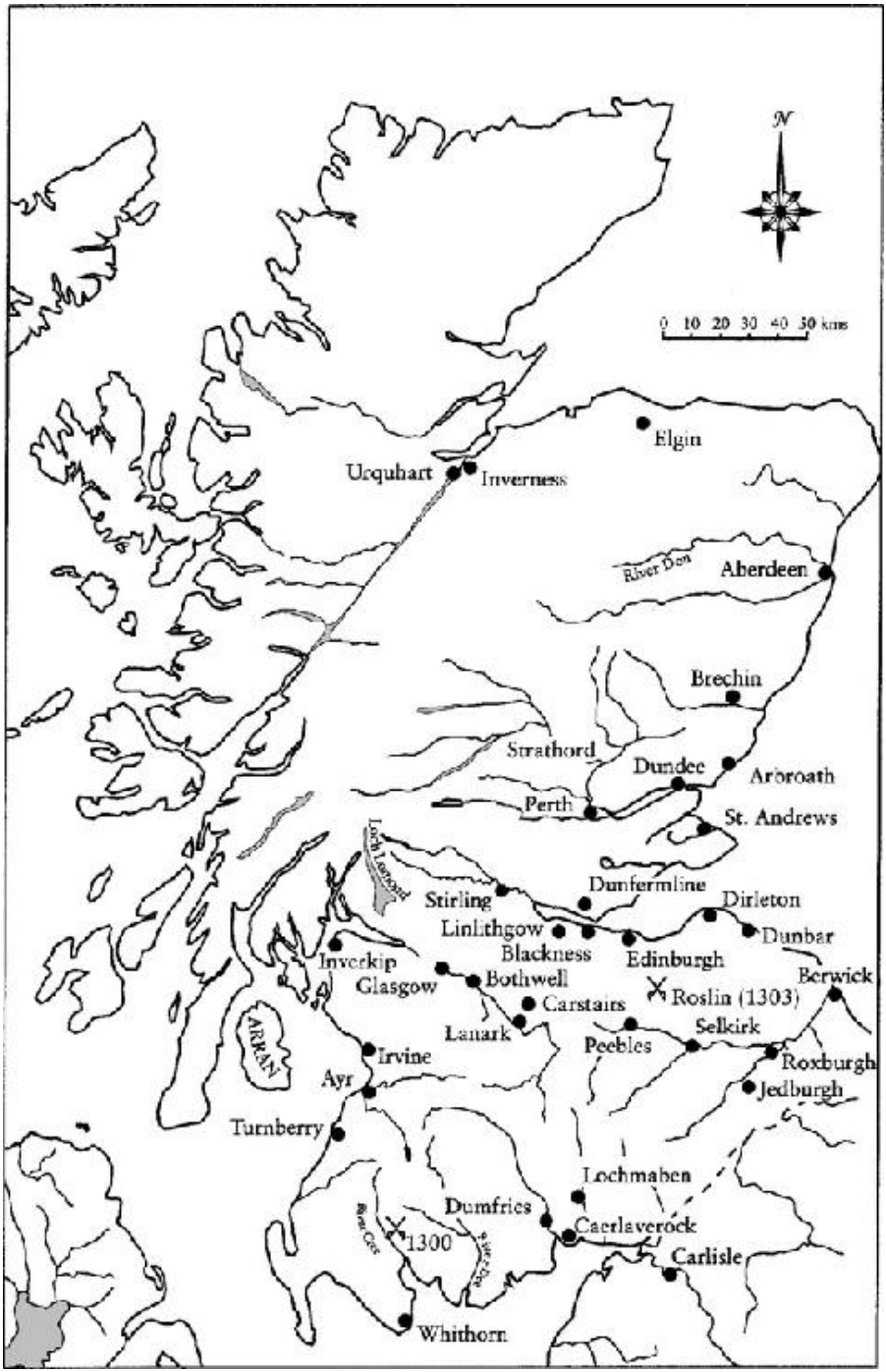
11. Kildrummy castle, seat of the earls of Mar, and a temporary Bruce stronghold in 1306

because Robert Bruce had care of his young nephew, Donald of Mar. *Reconstruction drawing courtesy of Historic Scotland.*



12. Urquhart castle, one of the most northerly English garrisons after 1296, but which was forced to submit to the attentions of Andrew Murray and the burgesses of Inverness in 1297. *Reconstruction drawing courtesy of Historic Scotland.*

13. Inverlochy castle, a Comyn stronghold near Fort William, commanding access to the Great Glen, the only way through these impenetrable hills (including Ben Nevis on the right). *Crown Copyright: Royal Commission on the Ancient and Historical Monuments of Scotland.*



SCOTLAND IN THE TIME OF EDWARD I

CHAPTER SIX

CHECKMATE

SAFE-conducts to six Scots were issued on 15 August to allow them to meet two envoys of Philip of France in England, presumably seeking an extension of the truce. However, Edward had every intention of reasserting military pressure even before a full-scale campaign could be organised. On 11 September, Sir John Segrave and Sir Edmund Hastings at Berwick, Sir Alexander Balliol at Selkirk, Sir William Latimer at Roxburgh, Sir Walter Huntercombe (captain of Northumberland), and Sir Robert Clifford (keeper of the bishopric of Durham) were informed that, despite recent orders summoning them to a parliament in London in October, they should not 'in any way depart from Scotland or its marches'.[1] Edward was extremely concerned to ensure the security of his garrisons: nothing was to endanger future military success on the road to reconquest. On 24 September he wrote to Langton, the treasurer, ordering him to be

. . . attentive in such manner that our affairs should prosper, that the wages be well and promptly paid to our people who stay in these parts; and that you have well overlooked the castles of Scotland, the fortresses and other places which concern us there and that they be well provisioned, so that there will be no want and that the new castles which we are having made there have all that they need for the completion of their works. For if they are well provisioned everywhere, this will be a great security to the whole of our business there. And if our business goes well there, we hope that it will go well everywhere.[2]

On 14 September 1302, Edward received the news of the death of Sir John de St. John, to whom the king was 'much bound'. Indeed, this loyal servant was owed so much from the crown that writs had to be sent to the escheators and royal officials ordering them to 'take nothing' from his estate until the king had spoken to them. However, it took another two months for St. John's executors to be given free administration of his affairs and for his debts at the exchequer to be discharged. His office as warden in Scotland was awarded to

his son, another Sir John, until further orders, although Sir Richard Siward took over in the meantime, 'that the district be not left unprovided'.[3]

By late September Edward had, in fact, decided that Sir John Botetourt should succeed to St. John's office in Scotland. The situation in the south-west was again becoming difficult, with starvation proving the biggest challenge to the security of the garrisons. At the end of October, the king received a message from Siward, delivered by 'his dear friend', Sir Ralph Manton. The latter had recently visited Lochmaben, but, since his departure, things had taken a turn for the worse. Siward supposedly had 'not above ten men-at-arms there [at Lochmaben] or at Dumfries. . . . As to sustenance, he [Siward] has received nothing since he [Manton] left them except £10 then paid to him'. This was worrying news, especially considering that the late warden's retinue supposedly numbered seventy-one men-at-arms, split between the two garrisons.[4] Sir Richard could report, however, that 'the country is quiet' and that 'the earl of Carrick went to parliament on Sunday 21 October'.

As the autumn progressed, Edward continued to make arrangements for his garrisons, with a view to the renewal of full-scale military activity as soon as possible. To that end, and before the expiry of the truce rendered any English movement outside their own secure zones more dangerous, the king wished to find out exactly the state of the country west of Stirling. Speed was clearly uppermost in the king's mind. On 29 September, he wrote to Sir John Segrave at Berwick, ordering

> that the expedition lately arranged between you and Ralph Manton, our cofferer, should be done with all haste and in the best manner that you can, so that you go by Stirling and . . . the . . . by Kirkintilloch, as near as you can by our enemies in the lands which are in our hands, so that it can be done in safety . . . and the foray being thus done (inform us by your letters), send a special man to tell us the manner in which it was done, together with the condition and news from parts of Scotland with all possible haste.[5]

The enemy seem to have been largely concentrated north of Glasgow. Segrave and Manton could certainly have gone west in comparative safety along the southern banks of the Forth, via Linlithgow, to Stirling, then south to Kirkintilloch. However, the king was still preoccupied with 'the gateway to the north'. Without control of Stirling castle itself – whatever the situation in the town – the English were restricted to the region south of the Forth, while the Scots could move about freely as far south as Lennox and Menteith.

On 7 November 1302 the first summonses went out for a campaign planned to begin on 26 May 1303. The muster point was Berwick. A request for service was also issued to 'the magnates and commonalty of the land of Ireland', under the considerable inducement of a reduction or remittance of their debts to the king.[6]

Orders for purveyance were sent out to seven English counties, who were

to send supplies to Berwick before 26 May 1303. The king ordered that 'all purchases are to be paid for', presumably as the only means to persuade those to whom he was already in debt to part with their goods. However, ordering payment was one thing; bringing it about was another. Royal officials were thus to ensure that 'no debts are to remain owing to the king, either of the issues [of their bailliwicks] or of the moneys which are leviable and for which [they are] answerable at the exchequer, or of the aid granted to the king for marrying his eldest daughter'.[7] Such strict accounting was doubtless essential to the successful collection of supplies; however, the pressure on royal officials to exact every last penny owed to the crown cannot have done much to endear them to the tax-paying population.

Summonses also went out for the fleet. The Cinque Ports were ordered to provide twenty-five ships out of their quota, but these were to be crewed with the same number of men as if they were the full fifty-seven. They were to arrive at Ayr by 16 May 1303, along with a further twenty-five ships from the abbot of Battle, the prior of Christchurch and forty-one towns on the coasts of Sussex, Hampshire, Somerset, Dorset, Devon and Cornwall. These were all counties whose service in the Scottish war was usually conspicuous by its absence, except in terms of contributing to the fleet. A royal clerk, Walter Bacun, was also sent to the counties of Essex, Norfolk, Suffolk, Cambridge, Huntingdon, Lincoln, York and Northumberland to find a further fifty ships to go to Berwick by 26 May 1303.[8]

December was a very good month for Edward and marked the vindication of any deviousness in his diplomatic dealings over the last few years. On 2 December 1302 the treaty of Amiens, between France and England, *excluding* Scotland, was ordered to be proclaimed by all English sheriffs. Walter Amersham, as chancellor of Scotland, was also commanded 'to issue orders to all the sheriffs of that land to cause the like proclamation to be made'.[9] Though this statement is disingenuous, given that Scotland beyond the Forth was still unequivocally outwith his control, the fact that Edward bothered to issue such an order suggests that a form of English administration, based at Berwick, was beginning to take shape again in southern Scotland.

In the meantime the garrisons were preparing to repel any new Scottish offensive as the truce expired. On 4 January 1303, Sir John Segrave and Sir John Botetourt were appointed captain of Northumberland and captain of Cumberland, Westmorland, Lancaster and Annandale to the western boundary of the sheriffdom of Roxburgh respectively. Both were ordered to assemble the men-at-arms of these counties within eight days of their appointment, as had been agreed with their inhabitants on 27 December 1302.[10] An expedition under Botetourt's command was organised soon after; though it was seemingly planned for December 1302, most of the men-at-arms were paid from 5 to 28 January 1303 except for Sir Robert Clifford and his retinue who received wages from 13 December. The numbers involved were quite

substantial, reaching a peak of one hundred and nineteen men-at-arms and over two thousand footsoldiers and twelve hobelars around the middle of the month. Half of the footsoldiers came from the counties of Cumberland and Westmorland, as usual.[11]

The garrison of Dumfries was also strengthened between 1 and 27 January 1303. A further twenty archers took residence there at the end of January and were paid right up until the end of April 'against the coming of the Scottish army'. In addition, 'bretasches, barriers and a certain palisade' were constructed 'outwith the gate of the pele of Dumfries by order of Sir John Botetourt, Sir Robert Clifford, Sir John de St. John, junior, against the coming of the Scottish army between 6 December 1302 and 7 January 1303'. Repairs were also carried out on both the castle and pele at Lochmaben around the same time.[12] The south-west was clearly preparing itself for an onslaught by the Scots, presumably led by Sir John Comyn, now sole guardian.

In fact the Scottish army appears to have gone east, rather than west, in a move that was clearly unanticipated and perhaps suggests that the English in the south-east had grown rather lax. On 7 January Sir William Latimer at Roxburgh informed the king rather melodramatically that 'we are daily in peril of our lives'. On 13 January Sir Ralph Manton was in the northern English counties, having been 'sent there to advise touching the protection of those parts and of divers lands in Scotland in the king's hands'. A week later he was ordered back to Scotland to arrange the payment of wages to men-at-arms en route for the north. On 20 January the archbishop of York received notice to supply men, horses and arms; twenty-five magnates, mostly northerners with long experience in border warfare, were summoned

to go in person to John Segrave . . . with horses and arms and all his power . . . until the king's Scottish enemies have been repelled, who, as the king learns from John for certain, have invaded the land in those parts that are in the king's hands and it is feared that they may invade England.[13]

It is not possible to ascertain how much of a threat the Scottish army actually posed; nevertheless, its successes in early 1303 indicate perhaps an element of grim determination on the part of the Scottish political community, as well as a rather worrying display of panic and disarray in the English camp. Despite the precautions of 20 January, Segrave and his company at Berwick were unable to prevent Edward's newly constructed fortress at Selkirk from falling into enemy hands. The castle must have been captured in January 1303, since orders to arrest its keeper, Sir Alexander Balliol, and bring him to the king were issued on 3 February. Balliol was freed by 14 March, having promised to 'serve the king well and safely in time of peace and war with all his power', though his son, Thomas, remained as a hostage. It took until March 1305, however, for the king to forgive Sir Alexander 'for the loss of the pele at Selkirk' and restore his lands to him.[14]

Edward had certainly been furious; he may also have been unduly

suspicious of his officers in and around Selkirk Forest, although there is absolutely no evidence that Sir Alexander Balliol ever sought to emulate Sir Simon Fraser's career pattern. The harsh measures taken against Balliol perhaps reflect less on his own conduct than on Edward's own determination to bring about the final conquest of Scotland sooner rather than later, and his growing frustration at events, and people, thwarting that ambition.

Having achieved success at Selkirk, the Scots then turned their attention to Edward's other new construction in the south-east, the pele at Linlithgow. The castle was besieged in February 1303, but its defences proved strong enough to resist the attack. The Scots had given up by 24 February since on that date the army under Sir John Comyn and Sir Simon Fraser had moved east again to surprise Segrave's force at Roslin.[15]

Sir John Segrave, appointed keeper of Berwick castle on 5 August 1302,[16] resided there with fifty-three men-at-arms to make expeditions throughout the south-east; Sir William Latimer had thirty-eight men-at-arms with him at Roxburgh for the same purpose. According to Guisborough, Segrave, 'being near to Edinburgh at the beginning of Lent [20 February 1303]' and not knowing 'about the Scottish ambush', divided his men 'into three troops and were distanced from each other by about two leagues'. On 24 February he was informed by 'a boy' that the Scottish army was nearby and decided not to retreat, despite being separated from the other two troops. His own troop supposedly numbered three hundred men, suggesting that it had been reinforced, perhaps by the men-at-arms ordered north on 20 January.[17] Wyntoun says that the 'Treasurer' – meaning Manton – brought an army of 20,000 horsemen north before the battle, a figure that we can quite happily disregard. The Scottish army, by contrast, reputedly numbered seven thousand. Wyntoun describes the battle itself with much glee:

And with them [the English] the Scotsmen
Then fiercely fought, and laid on then
Where many hard blows were seen,
Many there lay dead on the green:
The Scotsmen embarrassed them so,
That many were forced on to their backs there:
They took many prisoners
And divided among them wilfully
The armour and other gear
Of war that they won from them there.

Five of Segrave's valets lost horses at Roslin and Sir John was himself taken prisoner, having been badly injured. Complete disaster was avoided when a second brigade of English troops managed to rescue some of the prisoners, including Segrave. However, we should be careful not to overplay the significance of this 'battle' which was little more than an ambush involving only a small English force. Certainly the experience left the English dispirited

and unenthusiastic, a situation further compounded by a lack of money; the Scots, on the other hand, received a much-needed boost to their morale, not least because among the dead was Sir Ralph Manton, whose career seems to have followed that of Sir Hugh Cressingham to a rather unfortunate degree.

Perhaps, in taking on the job of taxman and paymaster, no-one could have expected to win the love of the Scottish population or even of other colleagues. On the other hand, it perhaps takes a 'special' kind of person to carry out such a job in the first place. Manton, like Cressingham before him, was doubtless sorely missed by the king, for whom his energy had accomplished much. However, it is not easy to find any direct evidence after 1297 that the English regime was in any sense heavy-handed in its treatment of the Scottish population falling under its control; if anything, English officials were trying very hard to act reasonably and efficiently where they could. Of course, we would not expect English government documents to trumpet their own misdeeds but there is certainly no further reference to huge sums of money milked from Scotland such as that sent to the Count of Bar in 1297.

The initiative had now passed to the Scots, and the English could merely react to the increasing pressure coming their way until Edward brought his army north. Eight of those assigned to help Segrave on 20 January were summoned to attend a meeting at York with the treasurer, barons of the exchequer, certain members of the king's council and others on 15 March: they were to discuss 'the state of the magnates and others in the army against our enemies', a rather oblique way of describing the confusion caused by Roslin.[18]

At the end of the same month, Segrave, up and about despite his injuries, wrote to the exchequer complaining that the attack on the Scots on the march 'cannot be accomplished unless the sheriff [of Northumberland] does as he has been charged to do'. This was presumably to raise money, or perhaps men, since Segrave also referred to the respite of debts until Easter promised to those of the county who served with him. £1000 or 1000 marks was ordered to be taken to Roxburgh on 26 March to pay for this expedition, to be paid for out of the fifteenth granted to the king in October 1302. Further supplies of money from the relaxing of service to Scotland to ecclesiastics (i.e., payment not to go) were to be at the exchequer by 2 June.[19] The only good news so far was the confirmation of the Truce of Amiens on 22 March and its extension until 26 May 1303.[20]

In the meantime, preparations for the forthcoming campaign should have been well underway. However, Edward was soon expressing concern about the state of purveyance in particular: on 26 March various royal clerks were sent to the counties where it was supposedly happening, to inquire 'touching the diligence' of those entrusted with it.[21]

He was also facing severe difficulties in assembling a fleet. In March, writs of aid were sent to the sheriffs of Essex, Norfolk, Suffolk, Cambridge,

Huntingdon, Lincoln, York and Northumberland on behalf of the king's clerk, Walter Bacun, who was trying to select the fifty ships expected from these counties:

as it appears that some of such towns have refused to send their ships, others have refused to find security to send them, and others, though willing to grant a certain number, have refused to send them furnished at their own expenses without the aid of the men of the adjacent towns.

Sir Robert Clifford, as keeper of the bishopric of Durham, was also ordered to ensure that the four ships chosen by Bacun from towns within his jurisdiction were sent to Berwick by inducing 'the men, by all means that he shall see fit, to do this and [distraining] them, if need be', since they were 'wholly contemning the king's order on this behalf'. Equally, the men of Yorkshire, 'although they granted that they should send a certain number of ships to the king, are not able to send them to Berwick, thus found at their own cost, without the aid of the men of the towns of the adjoining parts'. On 16 April another clerk, William Walmsford, was sent to help Bacun, 'because the latter has been negligent in the matter', suggesting that the ships were still not forthcoming.

The eastern counties were by no means alone in their unwillingness to provide their quotas. In Bristol, already noted for the brazen behaviour of its mariners, 'certain men of the town and the parts adjoining capable of this service [two ships] refuse to go with the ships to Scotland well-found with men at their own cost'. Again full measures, including distraint, were ordered against them. Three Cornish towns – Loo, Polperro and Ash – also claimed that they could not provide their quota of one ship, with its men and equipment, without help from four neighbouring towns. The admiral, Gervase Alard, wrote to the king, explaining that since these last four towns were not used to contributing to the fleet, the king should send a writ ordering them to do so.[22] In the end, ships were sent, but most towns joined together with others to provide the quotas, in comparison to 1301 when very few did. This ultimately made for a smaller fleet.

Admittedly the blame cannot be attributed completely to the king's demands – corruption and opportunism played their part. On 10 March 1303 an inquiry was ordered on behalf of two citizens of Southampton, Walter Frest and Alice, widow of Ralph Bishop. Their ship, 'with its whole gear and fittings', had been selected to go to Scotland and was duly handed over to one Robert Wynton; he then promptly sold it to a Winchelsea merchant 'and refused to restore it or pay for it, to the damage of the said Walter and Alice, and the harm of the Scottish expedition'.[23]

The royal clerks had faced widespread problems in persuading most ports to fulfill their quotas by 1302, never mind 1303, though the Cinque Ports were much more reliable in this respect. The repeated threats to the non-Cinque ports indicate once more the fleet's importance to the prosecution of the war;

unsurprisingly, its regular call-out caused exactly the same problems as with the army, though perhaps to an even greater extent.

Preparations for the campaign were stepped up by April 1303, probably because of the set-backs of the first months of the year. The muster-point was now Roxburgh, rather than Berwick. On 9 April writs were sent out to various clerks to choose footsoldiers in each county. Writs of summons were also sent out to Ireland, seeking five hundred men-at-arms, one thousand hobelars, and ten thousand footsoldiers. Altogether this Irish army actually totalled only three thousand four hundred but (by contrast with 1301) the earl of Ulster did sail to Scotland, having demanded, and received, the pardon of all his debts at the Irish exchequer, amounting to the spectacular sum of over £16,000.[24]

Preparations for the royal arrival began long before Edward himself turned up at Roxburgh on 16 May. Most royal clerks were fully occupied throughout May to ensure that adequate supplies reached Scotland in time, in conjunction with sixteen ships and their crews.[25] Bolts for crossbows and spears for the footsoldiers were also brought up to Berwick, presumably to be distributed among those arriving at Roxburgh. Purveyance in Northumberland provided the spears in this case, as well as horseshoes and nails.

Large amounts of hard cash were also brought up in lump sums. These sums were generally paid into the wardrobe, to be used for the immediate expenses of the expanded household. There were also many instances of arrears of wages paid out in May to members of various garrisons who joined the royal army in that month.[26] There was nothing like the royal presence to facilitate the payment of wages, although that was not necessarily true for colleagues back at the castle.

Ten thousand three hundred footsoldiers had been requested to arrive at Roxburgh by 12 May; at its peak in early June, the numbers reached only seven thousand five hundred. By June there were also some four hundred and fifty men-at-arms at wages in the king's household and one hundred and eighty with the prince of Wales.[27]

Writs were also issued for the first time for levies to be made within Scotland itself. The earl of Carrick was ordered 'to come with all the men-at-arms he can', in addition to one thousand footsoldiers from Carrick and Galloway (presumably from ex-Comyn lands in the latter region granted to him by Edward I). Sir Richard Siward was told to bring 'three hundred chosen foot of Nithsdale'; the earl of Angus was 'to be asked to send his men-at-arms and at least three hundred foot'; and the earl of March was also to bring 'as many men-at-arms as he can'. There is no evidence to show exactly how many of these Scottish contingents actually served, though Carrick, and probably Siward also, was certainly with Sir John Botetourt over the summer.[28]

Edward and his army proceeded along the southern banks of the Forth to Linlithgow at the beginning of June. Unfortunately, the river was still

unfordable, at Stirling, not because of the Scottish garrison there, but because the bridge destroyed in 1297 was probably not yet rebuilt; however, a specially constructed pontoon bridge saved the day, allowing the king to reach Clackmannan on 10 June.[29] The army then continued up to Perth, where it remained for over a month for what seems to have been a second muster.[30]

Not surprisingly, fresh supplies were also needed and twenty-one ships sailed up the Tay to Perth. The names of the merchants selling these goods – such as Thomas Pody of Ravensere and William of Alnmouth – indicate that they were English rather than Scottish; Edward could by no means rely on being able to purchase any supplies once he had advanced into enemy territory. However, some purchasing was done from local merchants: one hundred and sixty lagens of red wine were bought from various men of Perth for the king and the prince of Wales, for example.[31] Scotland north of the Forth may have been unaccustomed to any English presence but it was hard not to take advantage of this large market.

The Scottish government was presumably aware by now of Edward's intention to move north of the Forth; there was really only one military option available to them and they took it even before the English army had reached Perth. According to a letter of 14 June to the bishop of Durham, the Scottish army had 'entered Annandale and Liddesdale and elsewhere within the marches in the county of Cumberland with a great multitude of armed men'.[32]

Sir Thomas Multon of Egremond and Sir John Hoddleston were duly appointed to assemble the footsoldiers and men-at-arms of Cumberland and Westmorland and the other areas over which Sir John Botetourt had command while the latter was away with the king. Sir Walter Huntercombe was to take over in Sir John Segrave's absence in Northumberland. Sir Aymer de Valence, now the king's lieutenant in the south of Scotland, was still at Berwick, and was ordered to hold a council there with these three to plan action for the defence of the march.[33]

While the Scots were undoubtedly a grave concern, the usual supply problem was also rearing its ugly head for those left to defend southern Scotland. Dalilegh, the receiver at Carlisle, was the first to indicate that he was finding it difficult to make ends meet, given that the king's priority was to feed the army via the eastern stores. However, six ships from Ireland did arrive at Skinburness between 18 April and 28 June, although the totals of 390 quarters of wheat, 427 quarters of oats and 12 casks of wine were unlikely to last for long.

By the time the Scots were beginning their offensive in the south-west, Dalilegh had already written to Droxford at the exchequer requesting more funds. Given that both Droxford and Langton, the treasurer, were with the king, an official at York wrote back on 17 June, explaining that all the money at the exchequer had been sent to Perth. Since Dalilegh had already been sent money after Botetourt's departure for the army on 1 May, the writer questioned his need for more. Nevertheless, to safeguard the garrisons at

Dumfries and Lochmaben, the collectors of the fifteenth in Cumberland were ordered to send the receiver any money that they had in hand.[34]

The situation on the march was deteriorating rapidly. A letter from the bishop of Carlisle, Multon and Hoddleston on 23 June informed the exchequer that the Scots, under Sir Simon Fraser and Sir Edmund Comyn of Kilbride, had crossed the border on 18 June with a large force and destroyed lands around Carlisle. Another contingent of Scots, this time under Sir John Moubray and Sir William Wallace, recently returned from the continent, had marched through Galloway 'and have attracted to them most of the Galwegians'. They then 'harassed' the countryside around Caerlaverock and Dumfries on 23 June and 'are coming to destroy Annandale and to join Sir Simon Fraser and his company'.

This combined force was imminently expected to threaten the north of England, prompting the bishop and the two knights to seek advice and assistance urgently 'because almost all the men-at-arms and footmen are with the king'. Those whom they had managed to assemble at Carlisle naturally required provisions. The exchequer responded immediately, ordering Sir James Dalilegh to provide 'sufficient victuals' for those defending the march.[35] Again, this was easy enough to order, but difficult to execute if there was no money and no supplies.

Despite the exchequer's attempt to rise to the situation, it soon became clear that such arrangements were insufficient. On 16 July Multon and Hoddleston wrote again to York, explaining that the defence of the western march was being undertaken at their own expense and that they were unable to recruit men into their service to cross the border unless the king's wages were paid. They urgently requested money for equipment so that at least some retaliatory measures could be taken against the Scots; payment to them and their men was also required because of their own indebtedness. They mentioned that Dalilegh had been trying to provide for them, but he had informed them that there was hardly enough in the store to provide for the garrisons in the area, let alone extra troops.

A similar story was told by Sir John le Moigne, keeper of Galloway and Nithsdale in Botetourt's absence. The Scots were also making life extremely difficult for the garrisons at Dumfries and Lochmaben by preventing supplies from reaching them from Carlisle; those remaining there required urgent relief 'before it is too late'. Le Moigne asserted that 'in the two garrisons there are neither enough knights nor esquires nor crossbowmen to mount guard nor to go to the king, if you do not command that their wages and arrears be paid by the bearer of this letter'.[36]

This implies that the garrisons were on the point of disintegrating and that this was caused less by direct enemy activity than by the failure to make wage payments, for whatever reason. The men involved had absolutely no incentive to remain at their posts in such circumstances; even the men-at-arms, whom we might expect to stay for reasons of honour, were on the point of mutiny.

This was not a popular war. The overall picture, allowing for exaggeration on the part of royal officials desperate to provoke a reaction from the central administration, is one of extreme difficulty. The loss of these castles, through desertion or surrender, would have gone a long way to counterbalance any success which Edward might achieve in the north-east.

On the other hand, the Scottish government was now under threat in its own heartland and there was surely much desperation in Scottish activities over the summer of 1303. This sense of fighting against ever-increasing odds is also hinted at in the letters written by the Scottish magnates who were over in Paris trying, and failing, to regain King Philip's effective support: although they all urged Comyn and his team to continue the fight, they clearly recognised that it was now merely a question of struggling on.[37] This issue was hugely complicated by the fact that many must now have been asking exactly what they were fighting for. 'Scotland' as a political concept separate from its king was not easily understood in the middle ages, even if it surely existed at an emotional level. If King John was not coming home in the foreseeable future, it became more and more difficult to justify prolonging the fight in his name; to this thorny question of political theory must also be added the profound economic and social problems caused by prolonged warfare.

However, this does not detract from the effectiveness of Comyn *et al'*s strategy. For the royal officials at Berwck, Carlisle and York, failure because of the overwhelming scale of the problem was not sufficient excuse to save them from blame. On 14 August, Dalilegh was requested to pay Sir John Botetourt for the service which he and his retinue of thirty-two men-at-arms were performing in Scotland. The payment was to be made from the (unspecified) lands which the king had given Botetourt in ward. By November, however, Edward was 'expressing his surprise' that this order had not been executed, thus preventing Sir John from making an expedition due to lack of funds.[38] Given Dalilegh's extreme lack of money, it is not at all surprising that he was loath to spare any sum, however justified, if it was not required for the direct assistance of the south-western garrisons.

Part of this financial crisis stemmed from the fact that a lack of money and supplies was also affecting the main army even before it had left Perth. On 15 June, the treasurer's lieutenant at York, Sir Philip Willoughby, wrote to Richard Bremesgrave at Berwick, ordering him to send all money received from the exchequer to the king as quickly as possible, by land or sea, so long as it was safe to do so. Scottish ships were presumably attempting to disrupt the army's supply line, although the fact that twenty-one English boats got through to Perth implies that they were not particularly successful. Even if it were not possible to deliver the money, the king was to be informed as to how much Richard had received, and when, 'so that said Philip will not be blamed for negligence if the king is lacking'. It takes little imagination to envisage the kind of letters Willoughby had been receiving from the king. £1000 was duly received at Berwick in the next week, £300 of which was paid into the

wardrobe at Perth on 24 June, though doubtless this was still not satisfactory in Edward's eyes.[39]

Victuals were not in a much better state. On 20 June Sir Nicholas Fermbaud, the constable of Bristol castle, was ordered to arrest ships and their crews so that grain purveyed in Somerset and Dorset could be taken safely and quickly to Berwick since it was urgently required to feed the army and household. Ships did arrive at Perth with more victuals. Nevertheless, on 30 June William Burgh, a royal clerk, was sent from Perth to York to hasten the dispatch of money needed by the royal cooks.[40]

Edward's immediate plan on leaving Perth seems to have been to capture Brechin castle. Preparations for the siege had been made throughout the previous month: on 15 July Sir Ebulo Mountz, now constable of Edinburgh castle, was ordered to send siege engines from both Edinburgh and Jedburgh to Montrose by sea as soon as possible.[41] Presumably others were told to do the same.

The army left Perth on 17 July and effectively entered enemy territory. Two days later, prayers were said at Coupar (Angus) abbey for William Redinsle, a valet of Sir Hugh Bardolf, 'killed by the Scots'. There was then a ten-day gap, when Edward seems to have returned to Perth, probably on hearing of the difficulties caused by Scottish activities. However, he was soon back en route: on 29 July, 'the goods of Scottish enemies found in Coupar abbey after a search by Sir Walter Teye and Sir Matthew Montemartin' were sold.[42] The English army then continued round the coast to Arbroath, and from there to Montrose, where the siege engines and more victuals were picked up from waiting ships. They then cut inland to Brechin.

As Edward and his men advanced further into Scotland, it became imperative to arrange for the despatch of further supplies of money and victuals. On 28 July orders were sent to each county to send the proceeds from the fifteenth to the exchequer. On 7 August further demands for purveyance were made in six counties.[43] It was no wonder that there was little or nothing left for poor Dalilegh. In addition, the prince of Wales seems to have maintained an army separate from his father: for two weeks in July he and his men were busy in Strathearn, where they also made direct contact with the enemy.[44]

The siege of Brechin lasted around five days, until 9 August when Sir Thomas Maule, the Scottish constable, was killed and the rest of the garrison capitulated.[45] The king and his army remained there another week, presumably organising the installation of a garrison and the provision of victuals, before moving on up to Aberdeen by 24 August. Though five ships did meet them there with supplies, there was still a desperate need for more. On 28 August, the very day of, but presumably just before, the ships' arrival, Edward wrote to Philip Willoughby complaining that even though his previous letters had commanded that all available cash should be sent up immediately to pay those at royal wages, it had been very slow in arriving and

‘we owe treble the sum that you have sent’.

The king went on to state what was really on his mind: ‘If we cannot make these payments, we cannot hold this part in peace and they [ie., his men] will go back to their own parts, as they are already doing from day to day, because of the lack’. To make matters worse, the Berwick store had not yet fully received the goods which had been acquired by purveyance. Willoughby was again held responsible for this and was to ‘hasten the said purveyance to us so that we can leave where we are’.

Edward also mentioned the Irish, who, he said ‘do not wish to serve without pay nor to suffer greatly like our other people of England have done’. These were presumably the great Irish magnates, such as the earl of Ulster, who had only been persuaded to take part in the campaign by means of an impressive piece of financial bribery. The Irish footsoldiers, on the other hand, were left to fend for themselves and most generally returned home ‘the minute their hundred days’ service was complete, except for the poor souls who ended up at Linlithgow’. Ulster did, in fact, remain in Scotland over the winter, but returned home owed nearly £6000; ‘. . . other leaders were owed sums in proportion to the retinues they brought with them’.[46]

The king was clearly faced once more with the prospect of his army disintegrating slowly before his eyes and the campaign grinding to a halt long before his plans had been fulfilled. But it was absolutely essential that nothing should get in the way of what was surely regarded as the final push. Fortunately, the arrival of the five ships on 28 August seems to have done the trick and the army moved on the same day, arriving at Kinloss abbey on 12 September.

Despite further resistance, the castles of Urquhart and Cromarty were apparently restored to English control (possibly by the prince of Wales’s army); Inverness presumably also surrendered; and the Comyn castle of Lochindorb was probably also successfully besieged. It has even been suggested that the alleged death of Alastair MacDougall at Lochindorb in this year was related to the siege. His presence there certainly suggests the continuing close affinity between these two families – one ostensibly ‘Celtic’ and the other ‘Norman’. Having gone as far as the much more satisfying progress of 1296, Edward then turned back south via the difficult route over the Mounth, reaching Dundee on 16 October.[47]

Despite the implication that the south-western garrisons had been on the verge of calamity throughout the summer, the situation does not seem to have deteriorated any further. This stability can presumably be attributed, in part at least, to the organisation of an expedition under Sir Aymer de Valence around the middle of July. A detachment of men-at-arms, which included Sir John Botetourt and the earl of Carrick, had been sent south from the army to join him on the king’s orders, indicating the seriousness with which Edward did indeed take the threat. The expedition had reached as far west as Lincoln’s

beloved Inverkip by 24 August, remaining there until 4 September.[48] The lieutenant then moved back east again, reaching Glasgow five days later.

By the end of September, while at Linlithgow, Valence had become party to a most interesting development on the part of the Scots. On 26 September he was able to write to the chancellor that he had been 'treating with the great lords of Scotland to bring them to the king's will and hopes to be successful by God's help; but cannot say for certain'.[49] Unfortunately for this putative peace process, however, Valence's army was also experiencing very visible difficulties. Thus, two days later he was forced to send word to Richard Bremesgrave and Alexander Convers at Berwick that

> The Irish troops, who are at their wages for nine or more weeks, have heard it said that money has come to Berwick, and are staying in the country around Linlithgow where they can have nothing to live on except ready money, unless they rob the people who have sworn allegiance to the king; and they see clearly that no man cares for them or their lives, so they have packed their baggage to go home. And Sir John de Menteith and Sir Alexander Menzies, who had come to treat in good form for peace, broke off their business by reason of the scarcity that they saw among the said people.[50]

These Scots, at least, despite the knowledge of English success over the summer of 1303, were so shocked by the state of Valence's army that they presumably became convinced that Edward could not possibly stay in Scotland over the winter, as had been the case in 1301/2. It was worth continuing the struggle after all. Poor Margaret, countess of Lennox, was then forced to send to the king for help against Comyn and his followers, who came north of the Forth 'as far as Drymen' shortly thereafter.[51] Menzies and Menteith could, by virtue of their behaviour after 1306, be regarded as pro-Bruce, or, at least, not pro-Comyn. The pair may not be particularly representative of the Scottish leadership in 1303, but their decision to remain hostile to Edward as a result of what they saw at Linlithgow is surely in terms of continuing Scottish self-confidence, however fragile, as late as autumn 1303.[52]

However, this optimism was misplaced; Edward soon made it clear that he could, and would, winter in Scotland. The success of the summer could not, therefore, be undone to any significant degree over the winter. It was also made quite clear by the fact that the army marched south from Dundee to Cambuskenneth, via Dunblane, that Stirling castle was next on the hit list. On 24 October the king wrote that 'we do not wish to leave there until we have made headway in the best way we can'. The pontoon bridge, which had been stored at Berwick, was to be sent up to Blackness, along with six engines and further supplies of victuals, and then shipped to the king.[53] However, this was not the time of year to engage in a major siege and Edward was forced to wait until 1304 to recapture Stirling castle.

The army which spent the winter in Scotland seems to have remained a reasonable size, a considerable achievement in terms of resourcing. Out of a total of three hundred and sixty-three men-at-arms paid royal wages throughout the campaign, two hundred and eighteen received payment at Dunfermline. The Prince of Wales with his household left the king at Dunfermline on 25 November to form a separate court at Perth. This unusual arrangement was undoubtedly prompted by the knowledge that Comyn and his council were known to be in Atholl, to the north of Perth. Edward still wanted to see his son take the ostensible credit for bringing the war to an end, even if there had certainly been no grand military finale. This hunch was soon justified: by the end of December messengers were travelling between the prince and his father with letters concerning the demands made by the Scottish government for the submission of the Scottish people.[54]

However, they had not submitted yet and Edward was still keen to maintain military pressure over the winter, not least to concentrate the guardian's mind. In January 1304 Sir John Segrave, Sir Robert Clifford and Sir William Latimer were placed in charge of a company chosen to make chevauchées. Detailed instructions were issued to them, indicating that secrecy was absolutely paramount: only those whose names appeared on an indenture were to go with them and a number of searches were to be made to ensure that no 'strangers' slipped in unnoticed.[55] This expedition was apparently heading south from Dunfermline (though it had, as usual, to take a circuitous route towards Stirling to cross the Forth): this would suggest that their target was a 'rebel' force unconnected with the guardian and operating in southern Scotland, probably under Sir Simon Fraser and Wallace.

This was not the only expeditionary force retained over the winter. On 9 January 1304, immediately before negotiations with Comyn reached their preliminary stages, Sir John Botetourt wrote to Sir James Dalilegh, informing the receiver of the number of men he was retaining because 'he intends to make a foray on the enemy'. This force numbered one hundred and twenty-four men-at-arms, including Sir Robert Clifford and the earl of Carrick, nineteen hobelars and two thousand seven hundred and thirty-six footsoldiers from the counties of Cumberland, Westmorland and Lancaster. Botetourt and his men then joined the main company under Segrave. They had good reason to continue the military offensive: on 25 February 1304, despite the fact that peace negotiations were well underway, two messengers were attacked en route to the king with letters from Carrick.[56]

On 3 March the king wrote to Segrave and the other nobles, applauding 'their diligence in his affairs' and begging 'them to complete the business which they have begun so well and to bring matters to a close before they leave the parts on that side [of the Forth]'. Not all were so industrious, however: the earl of March was the object of the king's 'surprise that he let the enemy go'. The earl was to keep a close watch on the Scottish garrison of Stirling 'and cut them off if they sally'.[57]

Just over a year after Roslin, Segrave finally extracted his revenge, 'discomfiting' Sir Simon Fraser and Sir William Wallace at Happrew, Fraser's own lands near Peebles. The greatest barrier to success prior to that date seems to have been the usual problem of actually locating the Scots. This was overcome by the use of a local informant, one John of Musselburgh, who was paid 10s. on 15 March for 'leading Sir John Segrave, Sir Robert Clifford and other magnates in their company, assigned to a certain horsed expedition over Sir Simon Fraser, William Wallace and other Scottish enemies of the king then being in parts of Lothian'.[58] Unfortunately for Edward, the two were neither captured nor killed.

Fraser and Wallace were now operating without the sanction of the Scottish government and the Scottish political community generally, even though both were individual members of it. On the other hand, their activities make it clear that the decision to submit was by no means unanimous. A letter from the abbot of Coupar Angus which arrived at Perth on 9 January reported that 'a great part of the enemy who had gone towards Strathearn have now returned to Angus and . . . they would willingly break down the bridge [across the Tay] if they could'.

The Scottish guardian, Sir John Comyn, who sent his clerk to ask for a parley around the same time, was keen to distance himself from such activities. He now recognised that the Balliol star was waning, though, in reality, it had been in almost terminal decline for the past year and a half. The Comyns and most members of the Scottish political community would now have been concerned to secure their own positions, especially since the earl of Carrick was two years ahead of them.

In reality, their choices were extremely limited. Active support for King John among local communities had been hæmorrhaging away for a number of years in areas inured to the English presence; this might have been tolerable when it was limited to parts of southern Scotland but Edward's breakthrough into northern Scotland in 1303 must surely have released an overwhelming sense of exhaustion. There was of course every reason to suppose that the English might be expelled from these areas, as they had been in 1297/8, but at what cost?

The Scottish political community had governed a large part of the kingdom and maintained a credible war machine for six years against a formidable opposition. During that time neither they, nor Edward, had been able to fully perform a medieval government's peacetime functions, especially the administration of justice, because their writs were only effective in certain parts of the country. Of course, the English king was not getting any younger – at sixty-four he could not be expected to maintain his current level of activity for much longer. Though this might seem like an argument for continuing, there were perhaps more pressing reasons, such as the scale of damage inflicted by this war, to demand an end to the conflict.

It is perfectly credible to argue – as many must have done as the political community worked out its decision to submit – that Scotland's interests were best served by peace, certainly in the short term. The batteries could be recharged, ready – perhaps – for better odds under Edward's less-committed son. All of this is, of course, unprovable; however, we must not presume that either altruism or self-interest can be wholly ascribed to those whose motivations we can never know.

Men like Fraser and Wallace clearly disagreed with the arguments put forward; however, carrying on the fight was not *by definition* the right thing to do, even if it was regarded as right by the individuals concerned. As Rhys Davies has pointed out, for most, especially those whose lives were already hard enough, peace and order were of paramount importance: 'Men insisted on leading their lives as normally as possible, regarding rebellion as a contingency, no more'. Edward had disrupted that normality when he invaded Scotland and expected its people to accept the burdens commensurate with absorption into a comparatively centralised state like England. Now many of those who had bitterly resented such impositions found that interminable warfare produced even more unbearable burdens. Patriotism may be a deep emotion, but it is mostly underpinned by a pragmatism that does not necessarily – for good reason – endure against all odds.

On 11 January a letter was sent from Perth to an official or noble of note at Dunfermline (possibly either John Benstede or Sir Henry Percy, both of whom subsequently became negotiators). This letter told the addressee to go to the royal castle of Kinclaven with Sir Aymer de Valence, who was also at Dunfermline, 'to hear what [Sir John Comyn] wishes to say and if 'he wishes to treat'. Comyn's clerk, who had been sent to Perth to arrange this meeting, was to 'return [to Perth] on Sunday [19 January] [on which day] Comyn will come to Kinclaven'. The earl of Ulster and Sir Hugh Despenser, who were both with the prince, were also to accompany them with at least two hundred men-at-arms, just in case.[59]

'Sir John Comyn and those who are of his party, both beyond the sea as here', did indeed want to make a preliminary offer of submission. The basis of their offer was, understandably, a guarantee of safety of life and limb, freedom from imprisonment and the confirmation of all lands and property for themselves and their heirs in England, Scotland and Ireland. They then asked to be pardoned for all acts committed during the war for all time, including liability for all issues raised previously from royal and other lands.

Thirdly, they requested that all the 'laws, usages, customs and franchises' should be kept 'in all points as they were in the time of king Alexander'; any amendment should be made with the advice of the king and the advice and assent of the *bones gentz* of the land. They by no means envisaged a return to the spirit of 1296. The fourth clause contained specific requests from Sir John Comyn and Sir John Moubray relating to land which they had been granted by King John. The fifth clause requested that there should be no hostage-taking

or other forms of surety except homage and fealty. Those Scots still in France could arrange for the extraction of their oaths independently. Finally, a document sealed with the seals of the king, his lieges and his baronage was to be given as sufficient security.

Although Prince Edward was technically responsible for these negotiations, his father was still very much in charge. By 2 February the king had drawn up his own set of conditions for those who wished to return to his peace. These terms were generous enough: he certainly agreed to the main condition, that there should be no loss of life or limb, and no imprisonment or disinheritance. However, he insisted that the Scots submit completely to his future ordinances on ransoms, amends for previous misdeeds and, most importantly, the settlement of the land of Scotland. There were also some who could not be forgiven so easily and were excepted from the general conditions 'since they are of another category than the others'. The king was also of the opinion that Comyn and Moubray had better do some crawling if they wanted any special favours.

The Scots with the guardian were now assembled at Strathord, a forest near Dunkeld, some twelve miles from Kinclaven. On 5 February a team of negotiators – probably the earl of Ulster, Sir Henry Percy, Sir Aymer de Valence and Master John Benstede – were sent from the prince at Perth to firm up a more definitive peace formula. A memorandum of these negotiations and a full copy of further draft terms were sent to the king the following day. The Scots basically accepted Edward's terms, with additional requests relating to the rights of heirs, the maintenance of strongholds in the hands of the current holders until the next parliament, and the release of all prisoners except – interestingly – Sir Herbert Morham and his father. The career of the younger Morham in particular is unclear after his capture in 1299. However, he and his esquire, Thomas de Bois, certainly joined the Scottish army at the same time as Sir Simon Fraser (1301). The fact that Bois was named as a member of the Edinburgh garrison before that date suggests that Sir Herbert may also have joined Edward's service, albeit temporarily. However, after jumping ship, he must have been recaptured at some unknown date, otherwise, like Bois, he would certainly have been mentioned more specifically in the surrender negotiations.

Comyn understood what was expected of him – after all, he had led the 'rebel' Scottish government for much of the period between 1298 and 1304 and required therefore to be absolved not just for what he had done himself, but for what he had caused others to do as guardian. Having taken the trouble to place all his lands in the king's hands, he was duly rewarded for his humility by having them returned to him. Edward would not hold the previous six years against him, apart from demanding a punishment of one year's exile, so long as it was now quite clear who ruled Scotland.

The list of reprobates from whom the king wished to extract some form of punishment grew as the negotiations continued. These included the bishop of

Glasgow, whom Edward accused of 'great evils', Sir Alexander Lindsay, who was 'to make some penance . . . for the flight he made from the king who made him a knight', and Sir David Graham, who had apparently borne 'himself so falsely with regard to the discussions which he held with the members of the king's council'.

The longest period of exile was reserved for Sir Simon Fraser and Thomas de Bois, who were to spend three years banished not only from the British Isles and Gascony (Edward's dominions), but also from the lands of the King of France 'if they can find no greater grace in the meantime'. However, William Wallace was singled out as by far the most deserving of punishment: he was simply to submit 'to the will and grace of the king, if it seems good to him [i.e. Edward]'. Although this requirement was certainly most onerous, implying no guarantees whatsoever, it should be noted that at one point Wishart, bishop of Glasgow was also going to have to submit to the king's will.

The key to the severity of punishment, with the exception of Wallace, seems to have been the extent to which Edward felt himself personally betrayed. Treachery may not have been good for the state but it was still done to an individual, the king. The careers of Fraser and de Bois shared one particular feature: both had at one time been part of the English administration. Both also changed sides around the middle of 1301.

With the finer details still under discussion, it was nevertheless felt that a day could be fixed for Comyn and those with him to finally come to the king. Decisions had also to be made regarding letters of safe-conduct to be issued to the Scots, a submission date for those such as Sir John Soules, James the Steward and the bishop of St. Andrews who were still in France, and the form of guarantees which the royal messengers were to give 'to stand by the things granted'. Edward was to send back his reply by Saturday 8 February.

Sunday 16 February was chosen as the day on which the Scots would pay their homage and fealty to the king. The prince was to lead this victory parade, to which the earls of Strathearn and Menteith, who had already submitted, were also invited. However, Perth was still to be left properly defended, indicating that the peace process was still by no means universally accepted. Those in France were to come to Edward's peace by 12 April, 'each according to his condition and state' (although as late as September 1304 the English king was making representations to the King of France on the subject of the departure of at least some of these Scots). Once Comyn and the rest had performed their homage and fealty, 'the king will have made his letters patent to keep all the things as they were discussed and granted'.[60]

These negotiations and the final terms of the Scottish nation's surrender to English rule are vitally important to an understanding of the previous years of war. In essence, the final conditions were not, overall, vindictive or ungenerous, for the simple reason that Edward was in no position to demand harsh penalties. Despite his success in wintering in Scotland, the king

undoubtedly knew that he could not afford to keep his army together for much longer; the emptiness of his coffers made it abundantly clear that it was in no-one's interests to prolong the war any longer than necessary.

As a result, and in marked contrast to 1296, he clearly wished to obtain the active support of the Scottish nobility as the best means of ensuring effective and acceptable government in the future. It thus made sound political sense to allow all Scots, except Sir William Wallace, who was a rather different kettle of fish, to retain their lands and positions in Scotland. This was no mere temporary expedient either: three of those named as Sir John Comyn's own council in 1304 became sheriffs in the new administration, for example.[61] However, the decision to return to the landholding status quo of 1296 was not without its own difficulties and Edward had to spend the next eighteen months sorting out the resulting legal morass before he could finalise the settlement of Scotland.[62]

In the meantime, there was still work to be done. In March 1304 a parliament was held at St. Andrews, only the second to be held by Edward I in Scotland. This was the first important test of Anglo-Scottish solidarity, and the Scottish nobility had to be seen to be there. However, 'The parliament was clearly not Scottish, but neither was it English. Circumstances had dictated its composition. Perhaps the terminology of 'English' and 'Scottish' in this instance does not aptly describe the occasion; rather, it was the king's parliament'.[63] The assembled throng witnessed, among other things, a declaration of outlawry passed on Wallace, Fraser, and the Stirling garrison, which alone held out, '*secundum iuris processum et leges Scoticanas* [according to the process of law and Scottish laws]'. Edward was now quite happy to use Scottish law and custom to give legitimacy to actions which many of his audience might well rather not have condoned. A total of one hundred and twenty-nine landowners, including Malcolm, earl of Lennox, took Edward as their liege lord on either 14 or 15 March, together with the 'evil' bishop of Glasgow, Robert Wishart.[64]

The net around Stirling was now being drawn exceedingly tight. On 1 March the earls of Menteith, Lennox and Strathearn were sent to prove their recent loyalty to Edward by deploying both horse and foot 'so that the enemy on the other side [of the Forth] cannot injure the people on this at the king's peace'. Around the same time Sir Alexander Abernethy was sent by the Prince of Wales to guard the fords north-west of Stirling, preventing access to and from Menteith and Strathearn. It was presumably Wallace who was potentially causing problems since Abernethy was specifically told only to receive the latter and his men if they surrendered unconditionally into the king's will. A month later the same earls (Menteith, Lennox and Strathearn) were all ordered to prevent their people from attempting to provision the garrison, suggesting that those living in the earldoms to the north of Stirling certainly remained unconvinced by recent developments.[65]

William Biset, the new sheriff of Clackmannan, who resided at Tulliallan castle (Kincardine-on-Forth), was also experiencing trouble but it had nothing to do with recalcitrant Scots. On 17 April Edward had to write to Sir Henry Percy, having heard that the latter's 'people have come there [Tulliallan] and wish to eject him [Biset]'. Percy was ordered 'for his love to allow Biset to remain and attend to his duties'. Though it is not clear why Sir Henry was interested in the area, this would seem to indicate that those who had served Edward long and loyally were now jockeying for reward.

Biset had already paid for the strengthening of the walls at Tulliallan, and he was also involved in harassing the Stirling garrison about twelve miles upstream. By 17 April, he and his brother had managed to capture the garrison's boats, which presumably were used to ferry supplies to the castle. Biset was eventually rewarded with the keepership of the castle and sheriffdom of Stirling, relinquishing Clackmannan.[66]

Once parliament was over, preparations for the forthcoming siege were stepped up. On 20 March the current sheriff of Stirling, Sir Alexander Livingston, was ordered to muster 'all the forces, both horse and foot, of his bailliwick, including baronies in it, but excluding any part of the Lennox . . . to come without delay before Sir Thomas Morham and Alwyn Calendar, to whom they are to be obedient'. The exclusion of the men of the Lennox is presumably a further indication of their dubious loyalty.[67] Equally, the fact that Livingston had been named as sheriff of Stirling since 1301 may also indicate that the Scots in the castle had been receiving a taste of their own medicine for a year or so before its recapture since they were becoming increasingly isolated from those areas still firmly under the control of the Scottish administration.[68]

The Linlithgow garrison was also preparing to harass the enemy, but could not acquire sufficient men-at-arms because 'the king's men were dispersed foraging and before they could be assembled the time would come for the king to move near Stirling, which he intends shortly to do'. Edward therefore ordered the constable to inform Sir John Comyn 'and other good men in those parts' of what he knew of the 'enemy's plans'. Comyn and his own garrison at Kirkintilloch, 'and any others whom they can hire are to do the best they can until the king's arrival'. In the meantime, engines and their equipment were to be sent to Stirling, a process that did not run entirely smoothly.[69]

Despite evidence for continuing enemy activity, there had clearly been a fundamental change in the English position in Scotland. Edward was now coming to Stirling as the country's accepted ruler, serenaded on his way by various women 'just as they used to do during the time of Alexander, later king of Scots'.[70] While there may well have been a note of triumphalism in this last piece of rather unnecessary administrative detail (which only royal clerks would see), it may also indicate a sense of satisfaction among some sections of the population that a king once more ruled in Scotland. Public opinion on even such a crucial issue as the very nature of government was

clearly as varied and contradictory as it is today.

Most importantly, however, Edward could now make preparations for the siege through his own officials and the Scottish lords in and around the Stirling area, instead of having to rely entirely on his own military machine co-ordinated from York. This surely marks the transformation, admittedly still incomplete, of the English presence in Scotland from a military regime to a peacetime administration. The parliament at St. Andrews, no doubt intentionally, reinforced this transition. The measures taken against those who still refused to submit were approved there by the Scottish political community. Even though the siege of Stirling was obviously very much a military endeavour, there was a sense in which it was portrayed as a national effort in the interests of law and order.

Edward left St. Andrews on 5 April, arriving at Stirling seventeen days later. His first action was to refuse to grant the Scottish constable, Sir William Oliphant, permission to consult with Sir John Soules, who had placed the castle in his custody. Since Soules was currently in France (he never, in fact, returned to Scotland), the request was presumably made primarily as a delaying tactic, and it should have come as no surprise that it was rejected.

The outcome was certainly inevitable, not just because of the presence of much of the former Scottish government in Edward's army, but also thanks to the range and number of siege-weapons arrayed against the garrison. Having been threatened with the direst punishment for their insolence, and endured a pounding by the mighty 'War Wolf' *after* they had offered to surrender, Oliphant and his men handed over the last Scottish-held stronghold on 24 July 1304. They were then led off to captivity in England. Edward doubtless thought they deserved worse, though there were many who admired their bravery. The next day William Biset took charge as sheriff and keeper of the castle. Even Sir Simon Fraser realised exactly which way the wind was blowing and submitted before the end of the siege.[71] The war was over.

Up until this juncture, Edward really does seem to have acted with uncharacteristic prudence and forbearance, albeit in the interests of getting his own way. However, the contemptible bombardment of Stirling castle with the War Wolf does seem to mark the point at which the gloves came off. On 25 July, 'the day after the castle was handed over', Edward ordered the people of Scotland, but especially Sir John Comyn, Sir Alexander Comyn,[72] Sir David Graham and Sir Simon Fraser 'to make an effort between now and [13 January 1305] to take Sir William Wallace and hand him over to the king so that he can see how each one bears himself whereby he can have better regard towards the one who takes him, with regard to exile or ransom or amend of trespass or anything else in which they are obliged to the king'. Edward also refused to allow Sir John Soules, the Steward and Sir Ingram d'Umfraville, who had so far failed to return from France, to submit until Wallace had been captured.[73]

This was base bribery and it is hard to imagine how any honourable man could have taken any part in it. Given the general tone adopted since January, it is actually likely that Edward would not have executed Wallace out of hand if he had indeed submitted into the king's will – Fraser had certainly suffered no extra penalty for submitting late, despite being declared an outlaw at the St. Andrews parliament. However, Sir William evidently could not bring himself to give in and Edward probably knew this, hence the original unconditional stipulation. But the fall of Stirling changed any instinct for clemency and Wallace now without doubt symbolised the spirit of Scottish resistance in the mind of the conqueror; however shabby it might seem to demand that the Scottish nobility hand over their erstwhile colleague, Edward was doubtless determined to test their commitment to the peace, not least because they had been so ready to go back on their homage and fealty in 1297.

The reconquest of Scotland was by no means a foregone conclusion even during the summer of 1303. Militarily, the Scots were still able to prove, as they had done throughout the war, that the supply line was extremely vulnerable and that a sustained attack might well jeopardise the maintenance of the immense English war machine.

However, a number of factors were now working against the Scottish government's ability to compel Edward to change his plans through pressure on the garrisons particularly, a strategy that had proved most successful before. Most of these factors were psychological and related primarily to the unpalatable reality that King John was unlikely to return to Scotland in the foreseeable future (indeed, ever); this meant that the authority justifying the waging of this war was effectively a symbol with no substance.

It is important not to judge the thirteenth and fourteenth centuries by our own standards. We have no difficulty with the concept of a country existing independently from whoever actually runs it; in the middle ages, such a concept – though it presumably existed in the hearts of individuals if rhetoric such as the Declaration of Arbroath is anything to go by – ran contrary to the ethos of personal lordship which had generated a fundamental link between king and kingdom. Though the guardians had proved themselves more than equal to the task of governing in John's name, they were no substitute for the king himself; without the hope of his return, there was indeed little moral justification for continuing the fight.

However, despite the unenviable fact that the Scots were increasingly out on a political limb, a powerful patriotic instinct to continue despite everything is clearly in the discernible exhortations coming particularly from the Scottish delegation in Paris. This was most strongly associated with churchmen like Wishart and Lamberton; however, the lay élites, to whom it came less easily because personal lordship was their *raison-d'être*, could and did identify with it. The Scottish government did not therefore give up immediately after

experiencing the chilly atmosphere of their diplomatic isolation.

But many increasingly found that they could not square the dubiousness of their position with the world as they saw it. These were men, like the earl of Atholl, who had fought long and hard for an independent Scottish government and undoubtedly saw themselves now as standing between a rock and a very hard place. They came from all kinds of backgrounds; they presumably also came from all social classes, though we must be wary of speaking about those whose actions, let alone their motivations, remain almost completely hidden. The point is that there was now an evaporation of support not just from 'the middling sort' in southern Scotland, but also from those on whose shoulders government had rested for the last six years in areas which had not yet gone head to head with an English army. Once Edward had crossed the Forth *and* shown himself determined to maintain his war machine throughout the winter, the arguments for submitting – on good terms – must surely have become overwhelming.

If we let ourselves take a flight of fancy for a minute, and imagine that a referendum had been the means of deciding whether or not to submit, the result might not have been much to the liking of many in the late twentieth century. The, rather small, 'No surrender' camp to which Wallace certainly belonged might make good cinema today, but it does not seem to have been much of a vote-winner from 1304 onwards. Again, class doesn't come into it: there are plenty of examples of obscure men, and sometimes boys, who pop up sporadically in the records because they have earned their reward for spying on their fellow countrymen. That was how Wallace and Fraser were caught at Happrew. On the other hand, there were certainly those, like the men of Lennox (though who exactly they were is not clear), who disagreed with the decision made by their earl. We must all live with the consequences of the choices made by our predecessors, but we can never know that we would have chosen or acted any differently. It is really very difficult, seven hundred years after the event, to justify the belief that we know better.

King Edward must have been very, very relieved. It is not at all clear how he managed to sustain this last push over both 1303 and 1304; perhaps England was prepared to throw everything into one last effort, so long as it really was the last. Although this war was never popular, the idea that the inferior Scots could prevail against the might of the English must certainly have stuck in many a throat.

Edward had also learned a few hard lessons. He would certainly never admit it, nor make any concessions regarding his right to do as he liked with his reconquest; however, the basic leniency of the surrender terms, together with the presence of many former 'rebels' in the new administration, attests to the success of the Scottish government in keeping the great Plantagenet at bay for so long. This ability to learn, adapt and compromise – always with an eye on the main prize in the long run – was perhaps what defined Edward's

greatness. On the other hand, although this was undoubtedly a defeat for the Scots in general, and the Comyns in particular, the political community does not seem to have experienced the sense of shame and bewilderment that afflicted it after Dunbar in 1296. It would be wrong to use hindsight at this point – the Scots did not submit because they knew that the earl of Carrick was going to seize the throne in a couple of years' time; nevertheless, there was much to be proud of, even in defeat.

NOTES

1 *CCR, 1296–1302*, p. 599.
2 Stevenson, *Documents*, ii, pp. 446–7.
3 *CDS*, v, no. 292; *CDS*, ii, nos. 1325, 1331.
4 *CDS*, v, no. 297. The earl was leaving rather late for the parliament of 14 October.
5 Stevenson, *Documents*, ii, p. 448.
6 *CCR, 1296–1302*, pp. 611–2; *CPR, 1301–1307*, pp. 74–5.
7 *Ibid.*, p. 98.
8 *CCR, 1296–1302*, p. 612; *CPR, 1301–1307*, p. 75.
9 *CCR, 1302–1307*, pp. 65–6.
10 *Parl. Writs*, i, pp. 368–9.
11 E101/11/19, m. 3.
12 Ibid., mm. 3, 4, 6.
13 *CDS*, ii, no. 1341; *CPR, 1301–1307*, p. 105; *CCR, 1302–1307*, p. 71.
14 *CPR., 1301–1307*, p. 111; *CCR, 1302–1307*, pp. 71, 20; *CDS*, ii, no. 1649.
15 *CDS*, iv, p. 456; *CPR, 1301–1307*, p. 109.
16 *CPR, 1292–1301*, pp. 60–61.
17 *Guisborough*, pp. 351–2.
18 E159/76, m. 68.
19 *Ibid.*, mm. 12, 15; *Parl. Writs*, i, p. 132.
20 *CCR, 1302–1307*, p. 80.
21 *CDS*, v, no. 321; *CPR, 1301–1307*, p. 129.
22 *CCR, 1302–1307*, p. 76; *CPR. 1301–1307*, p. 131.
23 *Ibid*., p. 187.
24 *Parl. Writs*, i, p. 370–1; J. Lydon, 'The Years of Crisis, 1254–1315', p. 200.
25 E101/364/13, mm. 4–22, mm.99–100.
26 E101/365/6, mm. 2, 17; E101/684/53, mm. 11–13; E101/11/20, m.10; E101/13/36, part 3, m. 187; E101/364/13, m. 32.
27 Prestwich, *Edward l*, p. 498: Prestwich, *War, Politics and Finance*, pp. 80, 97–8; E101/612/11.
28 *CDS*, ii. nos. 1356, 1385; Stevenson, *Documents*, ii, pp. 178–9 (wrongly calendared under 1297).
29 *CDS*, ii, no. 1375; *Itin.*, p. 210.
30 E101/364/13, mm. 65–102.

31 *Ibid.*, m. 5.
32 *CCR, 1302–1307*, p. 91.
33 *CPR, 1301–1307*, pp. 146–7.
34 *CDS*, v, no. 331 E101/11/19, m. 5.
35 E159/76, m. 18.
36 *Ibid.*, m. 20.
37 *APS*, i, pp. 454–5; Palgrave *Documents*, p. 333; Barrow, *Bruce*, pp. 127–8.
38 *CDS*, ii, no. 1389.
39 E159/76, m. 74.
40 *Ibid.*, m. 70; E101/364/13, m. 12.
41 *CDS*, ii, no. 1386.
42 E101/364/13, m. 93; Haskell, *The Scottish Campaign of Edward I, 1303–4*, p. 27; E101/364/6, m. 3.
43 E101/364/13, m. 100; E159/76, m. 74.
44 Haskell, *The Scottish Campaign of Edward I, 1303–4*, p. 28.
45 Barrow, *Bruce*, p. 127.
46 E159/76, m. 21; J. Lydon, 'The Years of Crisis, 1254–1315', pp. 200–1; see below, p. 181.
47 E.M. Barron, *The Scottish War of Independence* (Inverness, 1934), p. 193; Haskell, *The Scottish Campaign of Edward I, 1303–4*, pp. 31–3; E101/364/13, m. 100.
48 E101/11/21, mm. 55–59; *CDS*, ii, no. 1390.
49 *Ibid.*, nos. 1392–3.
50 Stevenson, *Documents*, ii, p. 453.
51 *CDS*, ii, no. 1405.
52 Barrow, *Bruce*, pp. 183, 325.
53 E101/10/18; mm. 1,193.
54 *CDS*, ii, pp. 392–3; C47/22/3, m. 33.
55 *CDS*, ii, no. 1432.
56 *Ibid.*, no. 1437; *CDS*, iv, p. 481.
57 *CDS*, ii, no. 1465; Stevenson, *Documents*, ii, pp. 467–70.
58 *CDS*, iv, p. 475. Wallace is here denied his knighthood in the English sources, though he was accorded it earlier in the year [eg. E159/76, m. 18].
59 *CDS*, v, no. 346. The brackets in this document indicate illegible parts of the manuscript and their most likely contents.
60 Palgrave, *Documents*, i, pp. 286–8; 278–9; 280; 278–9; 279–82; 283;; 283–5; 288–291, 334; E159/79, m. 30; *The Gascon Calendar of 1322*, no. 437.
61 E159/79, m., 30; *CDS*, ii, no. 1691.
62 See Watson, 'Settling the Stalemate: Edward I's peace in Scotland, 1303–5, pp. 127–143, for a fuller discussion of the context, conditions and aftermath of the Scottish submissions of 1304.
63 Haskell, *The Scottish Campaign of Edward I. 1303–4*, p. 38.
64 H.G. Richards and G. Sayles. 'The Scottish Parliaments of Edward I',

SHR, xxv (1925), p. 311; Palgrave, *Documents*, i, pp. 194–7, 299–301, 345–6.

65 *CDS*, ii, nos. 1471, 1489, 1462–3.

66 *Ibid*., nos. 1515, 1561.

67 *Ibid*., no. 1457; *CDS*, v, no. 353.

68 See above n. 29.

69 *Ibid*., no. 363; *CDS*, ii, no. 1519.

70 *CDS*, iv, p. 475.

71 *Itin*., pp. 225–6; Prestwich, *Edward I*, pp. 501–2; Barrow, *Bruce*, pp. 128–30; *Foedera*, i, p. 969; *CDS*, ii, no. 1564.

72 This is presumably Sir John's uncle, rather than the other Sir Alexander, his cousin, brother of Comyn of Buchan, who had remained, technically at least, on Edward's side.

73 Palgrave, *Documents*, i, pp. 274, 276.

CHAPTER SEVEN

‘EDWARD THE FAIR’? THE SETTLING OF SCOTLAND

ALTHOUGH the final arrangements for the future government of Scotland were not worked out until September 1305, some form of an administrative structure was required in the meantime. Indeed, some officials – often Scots who had just changed sides – claimed to have successfully governed on Edward’s behalf north of the Forth even before the king’s arrival there.

According to an account made with him in 1305, one such recruit, Sir Alexander Abernethy, ‘held the sheriffdoms of Kincardine, Forfar and Perth, with their clerks and constabularies and all others the king’s servants there from [February 1303] till now . . .’ Abernethy had only recently submitted to Edward since he had certainly been with the Scottish force in southern Scotland in 1301. He was rewarded with the wardenship of the land from the Forth to the Scottish mountains (the Grampians) with a force of sixty men-at-arms on 29 September 1303.[1] Another account gives the names of five sheriffs and two keepers of royal castles north of the Tay – all Scots – in regnal year 32 (20 November 1303–19 November 1304).[2]

Overall control of the north-east was given to John, earl of Atholl, previously the Scottish sheriff of Aberdeen, and now ‘warden and Justiciar of Scotland from the Forth to Orkney’ from 29 March 1304. His deputy was the earl of Strathearn.[3] William, earl of Ross, released from English prison only in September 1303, was made warden beyond the Spey soon thereafter, since he accounted for the issues of Ross and the bishoprics of Caithness and Sutherland in 1304. He was given the rather onerous task of trying to bring the western isles under effective crown control, something his family had been attempting to do for nearly a century.[4]

Similar administrative overhauls were taking place in the south even before the Scottish government had submitted. Between 6 and 14 September 1303, the earl of Carrick and Sir John Botetourt went on a tour of the sheriffdoms of Linlithgow, Lanark and Peebles ‘and elsewhere south of the Forth to ordain and appoint sheriffs and other officials on the part of the king’. Carrick,

currently sheriff of Ayr and soon also of Lanark, obviously occupied a prominent position in the English administrative hierarchy. Although there does not seem to have been any question of his becoming Edward's chief representative in the south-west, the earl worked closely with Botetourt and there is no indication of any dissatisfaction with the arrangement.[5] Sir John in fact seems to have relinquished his office on 30 April 1304. Sir John Segrave, previously the royal lieutenant in the south-east, then became lieutenant south of the Forth (ie. of all southern Scotland) and justiciar of Lothian.[6]

Edward also felt confident enough to despatch Sir James Dalilegh, escheator south of the Forth, with two esquires and a clerk, 'to value and assess the king's lands and to collect and receive farms and escheats of the same'. This took almost six months between November 1303 and May 1304. He was then joined by Sir John Weston in order to make 'an extent of all the king's lands in Scotland, both beyond the Scottish Sea [the Forth] towards Orkney and on this side in Galloway and elsewhere' until Christmas Day 1304. The two were provided with an escort of sixteen men-at-arms 'for more safely forwarding the king's business; inasmuch as during the war and the impending siege of Stirling castle, while the men of the parts beyond the Mounth and in Galloway and Carrick had not yet fully come to the king's peace, without such safe escort they could in no way have done the work'.

Additional numbers of men-at-arms joined their company at various stages. Sir Reginald Cheyne provided a particularly large group, both mounted and unmounted, to escort them from Elgin to Inverness 'and staying with them there on account of the imminent peril of the enemies'. While in Elgin in June 1304, payment was made to twenty footsoldiers 'watching nightly, through fear of some enemies who had not yet come to the king's peace'. This was surely not very satisfactory to Scotland's restored conqueror[7].

As escheator south of the Forth, Dalilegh's accounts over this period make very interesting reading. The sheriffdoms of Lanark, Peebles, Ayr and Dumfries brought in the very gratifying total of £668 4s. 2¾d. for the first year (1302–3); this was despite the fact that in Lanarkshire the barony of Cambusnethan and the farms of the burgh of Glasgow had apparently been laid waste by the ravenous Irish, the lands of Nemphlar and Cartland produced nothing because they were still in the hands of the Scots, and the barony of Rutherglen was granted a £10 rebate, 'on account of the inability of the tenants'. The total value of royal lands in these four sheriffdoms should have amounted to £1037 16s. 4d.[8]

The total for the next year (1303–4), excluding Dumfries, was less than one third of the previous year's total at £206 3s. This surprising decrease was presumably caused by the fact that in the previous year the king was able to draw the revenues of estates forfeited by their rebellious owners. In 1303–4, when most Scots had submitted, the escheator could only claim those issues which normally pertained to the king. This last figure therefore suggests that there had been a serious decline in revenue as a result of the war:

remembering that Dumfries is missed out in the second account, these lands were now only worth between a quarter and a fifth of their pre-war value, a figure which is corroborated elsewhere.[9]

Segrave, Atholl and Ross, together with William Bevercotes, who became chancellor by December 1304, Sir John Sandale, appointed chamberlain by March 1305, and Dalilegh as escheator, ruled Scotland in Edward's name in the period leading up to the finalisation of Scotland's new constitution in September 1305.[10] The re-establishment of a viable administration was vital to the success of the reconquest and there is little doubt that, despite references to continuing unrest, most of the country was reintegrated under an effective national system by the end of 1304. By August of that year, for example, writs to various Scottish sheriffs were once more sent out '*sub magno sigilo regis quo utitur in Scocia* [under the king's great seal used in Scotland]'.[11] It is undoubtedly no coincidence that the seal should have reappeared at the same time as a Scottish chancery and exchequer was re-established at Berwick.

Repairs to most of the castles which had housed English garrisons over the previous years of war were now able to take place. The king also decided to build a castle at Tullibothwell (some three miles north-east of Stirling, near modern-day Menstrie[12]) but, 'not having a fit site', had to order the earl of Atholl, as warden north of the Forth, and the chamberlain, Sir John Sandale, 'to buy or provide one by exchange in a good place beyond the Forth'. Another castle was to be built near Polmaise, south of Stirling. Sir John Segrave, the warden south of the Forth, was to purchase or exchange the land there. The importance of Stirling castle, controlling the river crossing and, therefore, both the north-south and east-west routes, was clearly uppermost in Edward's mind; a network of fortifications would thus provide sufficient protection for this vital strategic spot.[13]

Even by the summer of 1303, when the Scots still considered the military option to be viable, there is increasing evidence that the English administration was tightening its grip throughout southern Scotland. The holding of inquests into landholding is one such indication. The first of these took place at Lanark in January 1303, only a week after the death of Sir John Baird, whose lands were the subject of the jury's deliberations. The issue was certainly still complicated by the fact that Baird's feudal superior, Sir Nicholas Bigger, was presumably not at Edward's peace since Sir John's barony of Strathaven was currently in the hands of Sir John Segrave, Edward's lieutenant. However, the fact that Alexander Baird, the heir, could instigate proceedings to gain entry to his inheritance so quickly must have been extremely heartening not only to Edward's officials, but also to those whose lives were regulated by the system.[14]

This is not meant to imply that the Scots had been unable to administer these areas successfully in the past – we really have very little idea whether

they could or not; however, the fact that evidence for such inquests only appears from 1303 onwards suggests that Edward's officials had certainly not been able to.[15]

Further inquests followed in Fife in March 1303, in the presence of Sir John Cambo, lieutenant of the sheriff, Sir Richard Siward; in Lanark again in December, before Magnus of Strathearn and Nicholas Bannatyne, lieutenants of the earl of Carrick, the sheriff; at Roxburgh and Peebles in January 1304; at Dumfries at some point in regnal year 32 (20 November 1303–19 November 1304); and at Stirling in February 1304, while the castle was still occupied by a Scottish garrison.[16] This last inquest produced the valuable information that the lands of Kilsyth and Callander had decreased in value from £40 to £8 6s. 8d., and from £60 to £12 respectively. They were thus now worth only one-fifth of their peacetime value, supporting the figures that Dalilegh was accounting for around the same time in southern Scotland generally.

Although most of these areas had been under English control for a number of years, the reference to Fife is particularly interesting. The inquest was held at St. Andrews, the episcopal seat of William Lamberton, who had retained control of much of his bishopric and presumably the cathedral and castle at its centre. Lamberton was now in Paris and it is quite possible that this inquest marks the end of his effective control in Fife.

The competing jurisdictions which had split Scotland asunder over the past seven or eight years certainly posed some knotty problems for the inquest juries to solve. In February 1304, for example, it was necessary to establish the precise land holding relationship between Sir John Soules 'the fugitive' – currently still in France – and Sir Ingram de Guines, who had served Edward as a royal officer in Eskdale.[17]

De Guines had leased Durisdeer castle and barony in Nithsdale to Soules in 1295, just before the outbreak of war, for a period of twelve years; Sir John subsequently transferred this lease to Sir William Conigesburgh of Lanarkshire. However, and despite the fact that the two main protagonists were now technically enemies, de Guines subsequently re-leased Durisdeer to Soules for a further twelve years in order to pay off a debt to a Dumfries burgess. Philipstoun, near Linlithgow, ultimately also owned by de Guines, was leased by Conigesburgh to Soules for five years from 21 May 1301.[18]

These transactions certainly appear very dubious and doubtless Edward himself would not have approved of them. However, they may indicate that those who had long occupied the same social circles tended to view the war pragmatically; it would take more than a few years of conflict to persuade the nobility in particular that their loyalties should be exclusive. English merchants were another group who felt the same way about the war.[19]

These inquests also make it clear that Scottish juries fluctuated in numbers rather than comprising the 'twelve good men and true' beloved of the English system. Edward was also happy to allow the *probi homines* (good men) of each sheriffdom, however recently they had submitted, to fulfill their

traditional function. This had some ironic repercussions. In September 1304, the earl of Atholl presided over an investigation into one particular judicial decision made by the former Scottish government itself. Atholl and a number of the jurors, such as Sir Gilbert Hay and Sir David Wemyss, were ideally qualified to look into this case because they had themselves been part of the Scottish administration now under investigation.[20]

The biggest headache facing Edward during the process of resettlement was the restitution of lands to former 'rebels' whose estates had been granted out to others in the meantime. The king seems to have operated two different policies towards the lands at his disposal through the rebellion of their owners. Those in England were certainly granted out, but extremely rarely; the issues of such lands, in contrast to those in Scotland, were easily forthcoming and Edward was presumably keen to use them himself.[21]

Grants of the Scottish lands of these 'rebels' had been made almost immediately upon the resumption of war.[22] However, in many cases the award was effectively a means of encouraging commitment to the conquest of Scotland among Edward's supporters; any material benefit would only accrue if the recipient actually managed to recover his gift from the original owner. Sadly this often occurred only in the last year or so of the war, which meant that the new owner had to watch his lands being handed back at the very point when he had just begun to recover some of his outlay.[23]

However, before we feel too sorry for Edward's loyal servants, there is no doubt that many were quite adept at profiting from the confused situation in Scotland, often at the expense of less experienced, or less powerful, colleagues. John Autry, a valet of the earl of Lincoln, discovered that he could not gain access to his gift of the manor of Duddingston because 'Archibald Livingston [the sheriff of Linlithgow] falsely persuaded the king that the manor was in [Edward's] hands, and procured a writ to the sheriff of Edinburgh to give him sasine and got it unfairly. When John came to the siege of Stirling with the earl . . . Archibald kept him out of the manor'. It is to be doubted whether Autry would have been satisfied with the king's injunction to his lieutenant to 'hear the parties and do justice to both', especially since Thomas de Bois, whose lands he had originally been given, would now be getting them back,[24] as a result of the submission agreement.

Sir Nicholas Graham, who claimed in 1304 to have 'been long at the king's peace', found himself similarly dispossessed of his lands in Northumberland, seized by earl Patrick of Dunbar at the beginning of the war. Graham had spent the time since his submission suing 'the earl and the sheriff of Roxburgh for Halsington and other lands deforced by the earl, without success'. Most revealingly, he begged the king to give orders that Dunbar's influence would not prevent him from gaining redress.[25]

Those best placed to play the system were Scots at Edward's peace, often to the disadvantage of those innocents who were not used to Scottish legal procedures. John of Bristol, a royal serjeant, fought a long and losing battle

against the resourceful William Penpont. Penpont claimed to be the heir of Alan of Dumfries, whose lands Bristol had been granted. However, he was initially caught out when he first made his claim because Alan was a bastard and thus could not pass on his property. Undeterred, he came back again claiming to be cousin and heir of William Hauwyse, who had held the lands over thirty years previously. Bristol petitioned the king, claiming that Penpont was confusing a writ of sasine with a writ of mortancestor: the first, which the latter held, would only allow restitution of lands taken into the king's hands during the war; the second, which he did not have, was the usual legal procedure whereby distant relatives could inherit after many years.

Bristol was no fool, realising that 'the people of these parts dislike any English disinheritor among them by the king's gift'. He did not want to be accused of keeping Penpont from his inheritance, even if the latter was not entirely convincing in this new claim. He thus begged the king to regard the property as an 'escheat by reason of the bastardy of the last feoffee'. Edward agreed that the writ of sasine validated claims only to lands held by relatives at the beginning of the war, putting Penpont clearly in the wrong.

However, this did not stop the latter from claiming in 1305 that he had recovered sasine of his lands and property in Dumfries through an inquest, but remained disinherited by Bristol's continued possession. Parliament ordained that a writ should be sent to the Scottish chancellor, ordering him to 'make remedy according to the customs of those parts', an edict which did not perhaps augur well for Bristol.[26] Penpont may not have been merely pushing his luck, but the fact that he needed two attempts at establishing his claim to these lands makes it rather likely that he was.

Conflicting claims also arose among Edward's non-Scottish officers who had been granted lands by the king's gift, particularly when access to these lands was finally won. Sir John de St. John, junior, was unhappy about his ability to enforce his rights of feudal superiority, as owner of John Balliol's Galloway lands, over those to whom the king had granted other parts of these estates.

One such case involved the lands of Ardrossan, held of St. John by Sir William Latimer until his death on 5 December 1304. According to St. John, a 'stranger', Sir Thomas Latimer, who was in fact Sir William's second son, tried to gain entry to those lands, but was prevented by Sir John's bailiffs. Sir Thomas therefore went to court where he argued that Ardrossan was held directly from the king. However, St. John's claims to hold these lands in chief were eventually upheld and Latimer was told to perform his homage and fealty to him 'according to the custom of these parts'.[27] Distance from the king (and hence access to him) was always crucial in the administration of property rights, and those in Scotland – both the Scots themselves and English officials serving there – were therefore in a potentially vulnerable situation. Still, at least these grants of Scottish lands were proving useful for endowing younger sons.

In general, the English chancery, which issued the writs of sasine activating a claimant's right to property, seems to have been distinctly unable to make impartial – and final – judgements based on a full appraisal of the facts. There was thus considerable scope for the pursuit of fraudulent claims, even if it is impossible now to prove that this was going on. There may even have been a belief among the Scots at Edward's peace that he took a favourable attitude to their land claims because the king was unwilling to risk accusations of injustice and oppression. Edward certainly seems to have gone to great lengths, often at the expense of his own supporters, to ensure that no Scot could complain of being unfairly dealt with.

This did not mean that the dispossessed necessarily took their removal tamely: there are certainly examples of vocal and even violent opposition to the return of property after the implementation of the submission agreements. For example, Lady Alice Beauchamp, widow of Edward's steward, petitioned the king for 'restitution of, or compensation for, her dower' from lands granted to her husband. However, it was explained firmly to her that even if Sir Walter had been alive, he could not retain the land-grant 'on account of the agreement between the king and John Comyn'. There was no mention of any liability for compensation.[28]

Edward was not entirely consistent, however. The earl of Norfolk, who had, rather unusually, been granted one of Sir Edmund Comyn's English manors (Fakenham Aspes in Suffolk), was to be granted 'land or something else in lieu to the same amount' when Comyn reclaimed the manor after his submission. However, the earl Marshal was a particular political hot potato whom Edward was currently trying to deal with.

The earl of Ross found himself on the sharp end of a far more vigorous reaction to his submission and subsequent rehabilitation than a mere complaining petition. During the period when he remained in prison in England, refusing to accept Edward as his liege lord, his wife's inheritance in the sheriffdom of Edinburgh had been given to Sir Thomas Morham. Sir Thomas was most unwilling to relinquish these lands, which had been granted to him as a reward for his service to Edward, and continued to uplift their issues after the earl had been given sasine in 1303. He also pulled down houses and caused other destruction. The sheriff of Edinburgh was ordered to stop Morham and to make amends to Ross, but the incident illustrates the depth of feeling involved. The issue of disinherited in the Anglo-Scottish wars began a long time before the 1330s.[29]

Some of the complaints which came before Edward in February 1305 stemmed from a basic ignorance of laws and customs peculiar to Scotland among those who were ultimately responsible for its government. This was a serious problem for the English king, since he was already aware of his newest subjects' sensitivity on this subject; however, Edward presumably did not want to place total reliance for the running of the judicial system on those who had so recently fought against him.

The Scots, probably heartened by the third clause of the submission document, were more than happy to provide information about usual practice on a wide range of issues. For example, Sir John Sulleye, an Englishman, informed the king that

> The people of Scotland . . . say . . . that the king's chamberlain does not have anything more than the robes of his office and half a mark which is owed for doing homage to the king, according to what he has had up till now, as was usual during the time of King Alexander . . .

It is easy to imagine the howls of outrage among those faced with demands for payment beyond what they were used to for an unavoidable service; accusations of foreign oppression similar to those voiced in 1297 were surely but a short step away if redress was not swiftly forthcoming. Edward duly agreed that the chamberlain should 'inquire into the usual customs of these parts in previous times', indicating the *de facto* reliance on native expertise.[30] However, this also created a potential conflict since the chamberlain obviously had an interest in this matter (hence, presumably, the use of Sulleye in the first place).

It is interesting also that, even though homage to the king was performed only by certain sections of the landholding class (though not exclusively the top level), the above petition was ostensibly from 'the people of Scotland'; this was probably a deliberate attempt to illustrate to Edward a solidarity of feeling among all sections of Scottish society, with perhaps an insinuation that this could still be transformed into action. Doubtless such unity was largely exaggerated. However, this may indicate that the community of the realm continued to act as arbiter and mouthpiece of Scottish public opinion even after its surrender in 1304. After all, Edward was himself doing much to encourage such active participation, particularly through the ongoing consultation process prior to the final settlement. This was very different indeed from 1296.

There was even a petition from Edward's new Scottish chancellor, the Englishman, William Bevercotes. He had discovered 'that other chancellors, his predecessors, who have been given the office of chancellor of the land of Scotland have been given in their office in the king's name all the hospitals which were vacant and in the king's gift in the land of Scotland'. Again, the king ordered an investigation 'as to what was usual in the times of the kings of Scots'.[31] It is amazing how quickly a sense of history can develop.

However, as we might expect with Edward, there were limits to this apparent sensitivity. One of the first indications of this related, interestingly enough, to the earl of Carrick. On 31 August 1304 an inquest was held into 'the privileges claimed by Robert Bruce', following the death of his father in April.[32] The inquest jury's findings provided the king with a dilemma, since it was concluded that the earl had the following rights in Annandale:

. . . that no sheriff of Dumfries or other servant of the king or his ancestors may enter the bounds of Annandale to make attachments, summonses, or distraints, nor have they done so for time beyond memory; but that the king may choose a coroner from one of the earl's homagers in Annandale and issue writs to him direct, who shall represent and answer to the king and his justices of Lothian at Dumfries; that the earl has these liberties by the title of antiquity, that is, from the time of William, king of Scotland and all his successors uninterruptedly till this day.

On 26 October 1304 the result of this inquest, which was a fair interpretation of King William's original charter to the Bruces, was sent by Edward to John Langton, bishop of Chichester, the English chancellor. Langton, together with the rest of the royal council, was to peruse its contents and advise the king.[33] The almost vice-regal powers which the lords of Annandale had clearly long enjoyed were of great concern to Edward, who was always very careful to ensure that his own royal rights, as he perceived them, were not infringed. Just because Carrick and his ancestors had enjoyed such privileges under previous kings of Scots did not mean that they would automatically be allowed to continue. Indeed the whole point of Edward's famous *Quo Warranto* inquiries in England earlier in the reign was that 'tenure from time out of mind was not now adequate warrant for the exercise of rights of jurisdiction which properly belonged to the king'.[34]

The earl of Carrick petitioned the king a few months later, presumably pressing for a favourable judgement.[35] Unfortunately we do not know what that final judgement was, though it is highly likely that Edward remained hostile to the maintenance of such extensive privileges. We know that Bruce had been canvassing for unspecified, but almost certainly treasonable, support among the Scottish élites as early as the siege of Stirling in the summer of 1304;[36] this questioning of his traditional liberties in Annandale cannot therefore have marked the beginning of the road towards his seizure of the throne. However, whatever the outcome of Edward's deliberations, it may well have hardened the young earl's resolve.

Land was not the only issue which Scotland's new master had to address in the mopping-up period after the war. A petition was sent in from all the Scottish burghs, seeking the preservation of their traditional liberties from the meddling of sheriffs and other royal officials. They also requested that the burghs should maintain their monopoly of the holding of markets, 'as was usual before this time'. There was also a complaint about the activities of the burgesses of Berwick and Roxburgh, who had allegedly imposed taxes on the merchandise from other burghs, contrary to the latter's charters. This was almost certainly a thinly veiled criticism of the communities of English burgesses who lived permanently in both these towns.[37]

However, the burgesses of Roxburgh 'from the nation of England' had their own complaint to make, asserting that they were hindered from carrying out

their business by the 'burgesses of that town from the nation of Scotland'. They rather fancied having a charter of privileges such as that granted to Berwick and confirmed in 1302.[38] Although there was certainly antagonism between Scots and English before the outbreak of war, this hostility was perhaps becoming a little more entrenched, particularly along the border.

Burghs, like individual landowners, could and did take advantage of the unsettled state of Scotland during the period of conflict to advance their own interests. According to a petition from the burgesses of Perth, the burgesses of Dundee had 'attracted certain profits which belong by right to the town of Perth and are now endeavouring to harm them in other ways, as far as they can'.[39] Whatever the rights or wrongs of such cases, the overall impression is that neither Edward nor the guardians had previously been able to wield sufficient authority to prevent abuses occurring.

One petition presented to Edward in February 1305 stands out in marked contrast to the rest, which were usually concerned with re-establishing previous conditions: 'the king's husbandmen' in Scotland wished to improve their customary situation, whereby they could be 'removed from year to year', by being allowed to hold their lands in the same way as husbandmen in England, who could not. As usual, although an investigation as to 'what would be to the king's profit' was ordered, there is no record of the final result.[40] However, this is a truly remarkable petition, not least because of the collective approach, together with the fact that the situation in England was obviously known north of the border.

In his article 'Colonial Scotland: The English in Scotland under Edward I', Michael Prestwich has written about Edward's policy towards the granting of lands to his supporters. In contradicting the view of the chronicler, Pierre Langtoft, that the English king's lack of generosity in dispensing patronage during the Scottish wars was responsible for his inability to hold the northern kingdom, Prestwich states:

> Edward was much less ungenerous in the case of Scotland than he had been in Wales, and the danger in his policy was less that English magnates would be discontented at receiving inadequate rewards for service, than the alienation of the Scottish nobles whom the king was anxious to win over to his cause.[41]

This synopsis is certainly theoretically correct. Edward's grants of Scottish lands to his supporters were indeed numerous – the fact that fifty-one of these grantees were required to provide men-at-arms for castleguard illustrates this. However, as so many of these court cases indicate, many never actually gained access to their lands, or, if they did, were in possession for only a short space of time.

The Scots whose lands formed this potential patronage thus had little cause to feel alienated. The restoration of their property was a usual condition of their submission, either as individuals, such as the earl of Carrick, or through

the general agreement concluded by John Comyn, the guardian. Indeed, Edward's own supporters, who were forced to step aside in favour of those whom they had just spent six years fighting, had far more cause for resentment. In addition, the barrage of petitions for lands and offices addressed to the king after the second conquest of 1303–4 makes it quite clear that only then was Scotland regarded as an attractive source of preferment. Any policy of colonialism, 'in a broad sense of conquest, expropriation, exploitation and settlement',[42] was restricted to the town-planning exercise at Berwick.

With the settlement of Scotland almost completed, this erstwhile Siberia of English office-holding seems to have become a land of opportunity. The king was thus faced with a barrage of petitions for offices and lands in Scotland, some from men who had experience of working in the north, and others from those who had previously done no more than go on campaign there.

Richard Vigrous, a burgess of Roxburgh and member of the garrison there since 1298, requested a grant of land for his services. Margaret of Hawick sought confirmation of lands conceded for the service of her father, probably Ralph of Hawick, who had also served in the Roxburgh garrison. Geoffrey Ampelford, another Roxburgh man and member of the royal household, requested the constabulary of Berwick or Dundee. John Cave, the royal clerk in charge of victuals at Glasgow and Kirkintilloch, petitioned the king for the lands of Dalile in Lanarkshire.[43]

Newcomers included John Perraunt who requested the constabulary of Berwick castle, John Cunningham, who wanted to be coroner of Lothian, an office unfilled in the previous decade, and Thomas Cotingham, another member of the royal household, who sought 'possession of things pertaining to the custody of the gate of Stirling'.[44] Such offices brought in little or no salary – the fees and issues attached to them were the source of their value. This implies that Scotland was regarded as a land of potential, since most of these offices were paid by the demanding of fees from customers' tips, effectively.

However, the line between 'making the most' of an office and downright corruption was a fine one and the Scots were not slow to make accusations of misconduct against royal officials now that they were apparently being listened to. Sir Matthew Redmayne, Edward's sheriff of Dumfries, was first on the list, with complaints arriving as early as April 1304. Led by a leading burgess, William Jargun,[45] several local men asserted that Redmayne extorted payments from them in order to regain possession of their lands after submitting to Edward. They also accused the sheriff and his officials of seeking 'to grieve and distress the poor people by tallages', though it should be noted that any tax which was not popular, no matter how lawful or customary, was described as a tallage. Redmayne had also allegedly acquired the lands of John Heytone and Matthew Terregles by various dubious

methods, including ‘champetry’ (or bribery), another pejorative term.[46]

Some of these accusations, which included the taking of carts, corn and beasts for the use of the king himself, together with the ‘tallages’ which presumably Edward had also authorised, are reminiscent of the complaints levied in 1297. It is impossible to establish whether or not these were completely novel demands made on the Scottish people, or whether the petition resulted from a general aversion to handing over anything to this re-established, but still perceptibly foreign, central government. However, some of the other accusations, if true, do suggest that Redmayne had been abusing his position. The activities of such over-zealous officials would do little to enhance the reputation of Edward’s government among the Scots, however willing he himself was to listen to their petitions.

This was also true of the activities of such royal stalwarts as Dalilegh and Weston, whom we left peregrinating round Scotland assessing the extent of royal lands and revenues. The king could certainly not accuse them of lacking assiduousness on his behalf; however, those, such as the abbot of the convent of Jedburgh, and Sir Reginald Cheyne, who had suffered ‘great injury and loss . . . by reason of his loyalty . . . to the king who now is’, were not so happy about being deprived of their lands despite, in many cases, clear title.[47] Edward’s officials do seem to have been very keen to prevent revenues, in particular, from being restored to their original recipients. Perhaps Dalilegh and Weston had had the wool pulled over their eyes by those who provided information about the level of peacetime exactions, for example; the tax payer is often not the best person to ask about how much tax he/she pays. Nevertheless, this was not a situation that Edward could allow to continue unchecked.

Lucrative church lands and revenues certainly caused much litigation in the royal courts before they were completely restored to those holding them in 1296. It is also clear that, in many cases, the war had taken a great toll on ecclesiastical property and that many churchmen now welcomed the English king as their defender. Thus, when each church or religious house petitioned the king to be restored to their lands and revenues, they also asked Edward to take them into his protection and maintain them.[48] Such an attitude may well have been shared by many other inhabitants of Scotland.

The plethora of court cases which Edward was determined to consider before he turned his attention to the final settlement of Scotland indicates the extent to which the war had disrupted so much of normal life. Although many doubtless welcomed the fact that rents and taxes had been less easily collected by either government, at least as many suffered from the lack of a nationally competent authority to provide redress for all manner of grievances. Edward, whose enthusiasm for the law characterised his reign,[49] was doubtless keen both to illustrate the benefits of his justice to his Scottish subjects and also to modernise the more archaic aspects – certainly in his eyes – of Scotland’s

judicial system. The former required the king's immediate and concentrated attention; the latter could wait until he was ready to put the finishing touches to the settlement of his new acquisition.

Most of the first category of judicial activity was completed in the parliament of February 1305. There was then one important outstanding piece of legal business to complete, although its resolution was by no means certain until the summer. According to the chronicler, Pierre Langtoft, William Wallace and Simon Fraser sought to come to Edward's peace some time in 1303, but did not turn up on the appointed day. At some point after Christmas 1303, Wallace again apparently sought to come to Edward's peace 'without surrendering into his hands body or head'; he also requested 'an honourable allowance of wood and cattle', a request which Edward angrily refused.[50]

Andrew Fisher, the best of Sir William's many biographers, has stated that 'the Wallace we read of here . . . is neither the Wallace of history nor of tradition'. It would certainly have been uncharacteristic of both Wallace *and* Fraser to offer to submit before the general peace was agreed with Sir John Comyn, though Langtoft could have got the year wrong; however, it would surely do Sir William no dishonour to suggest that he might have offered to surrender – on terms – once it had become perfectly clear that almost no-one now remained active against Edward. Since we know so very little of 'the Wallace of history', and he is so easily confused with 'the Wallace of tradition', it would be rash to state categorically that the ex-guardian totally rejected the idea of honourable surrender when the odds were so clearly stacked against him. However, Edward's refusal to consider anything other than an abject and total submission would equally have given Wallace little choice but to remain a fugitive.

The declaration of outlawry at the St. Andrews parliament of 1304 was almost certainly accompanied by the grant to someone described as the king's 'dear valet' of 'all goods and chattels of whatever kind he may gain from Sir William Wallace, the king's enemy'. The name of the beneficiary was originally Edward Bruce, one of the earl of Carrick's younger brothers, but the surname was subsequently deleted and that of Keith substituted. Bruce was certainly a royal valet in the prince of Wales' household, while there is no evidence that Edward Keith, Sir Robert Keith's brother, was similarly employed.[51] There is perhaps nothing sinister about the change of beneficiary of this grant – it could easily have been a scribal error. However, it is really rather fortunate for the historical reputation of the future patriotic hero, Robert Bruce, that his brother did not profit at the expense of William Wallace.

The last mention of Wallace before his capture was in September 1304, when members of the Dundee garrison under Thomas d'Umfraville gave chase to him 'beneath' Yrenside (Ironside), a hill behind Dundee.[52] He disappears for almost a year until 3 August 1305, when he was finally captured by men of the keeper of Dumbarton, Sir John Menteith, near Glasgow. A mere twenty days later, Wallace was brought to trial and executed

at Smithfield. The charges brought against him – such as the holding of Scottish parliaments and the maintenance of the Franco-Scottish alliance – can also be read as a list of his achievements.[53]

Edward's experiences in Scotland 'undoubtedly crystallized [his] theories and practices in dealing with treason'. Prior to Wallace's trial, a number of Scots had been charged with treacherous behaviour but this was the first time that trial, sentence and execution had actually been carried out. Wallace, of course, denied the charge that he had betrayed his king, though he accepted the other crimes attributed to him. Having been declared an outlaw at the St. Andrews parliament, the record of the charges which Edward accused him of was regarded in the middle ages as proof in itself, and thus Wallace had no right to put himself on a jury: 'in such circumstances there was no proper trial but merely the passing of sentence and its execution'.[54]

In strictly legal terms, Edward's justification for the charge of treason – that Balliol's return to the English king's homage and fealty in 1296, which conceded that the latter's conquest of Scotland was 'by right', together with the homage and fealties gathered generally, rendered all Scots Edward's vassals – was probably more 'correct' than Wallace's assertion that the lack of a personal oath to the English king exonerated him from that charge. However, the law was by no means clear-cut and Edward was himself in the vanguard of attempts to refine such legal uncertainties to the advantage of crown and state. The only thing we can be absolutely sure of is that both protagonists passionately believed that they were right; and that Wallace had absolutely no chance once he fell into Edward's hands.[55]

Similarly, the gruesome methods by which Wallace met his death were not thought up specially for him by the bloodthirsty English king: each punishment corresponded to one of the crimes with which Wallace was charged and 'the process was akin in the sentence pronounced to the one which concerned David ap Gruffydd', the Welsh prince executed by Edward in 1283. Nevertheless, it is hard not to agree that 'from the political view-point the trial and sentence were ill-judged and personal animosity may have clouded the king's vision'.[56] The clemency shown to the Scots in general therefore contrasts sharply with the fate of William Wallace and stamps the trial and execution with a degree of vindictiveness which does Edward no credit.

It is not entirely clear why Wallace should have inspired such fury. The English king usually reacted violently only against those whom he regarded as having betrayed him personally in some way, as was evident both in the trial of David ap Gruffydd and the submission terms of February 1304. However, Edward may well have felt most uncomfortable with Wallace's ideals of liberty and nationalism, ideals which, if developed logically, clearly challenged the established order of society. If the freedom of a country was accepted as more important than the rights of a king, it also followed that the freedom of the individual was more important than the rights of the

landowner. And then where would society be? Wallace was perhaps a man ahead of his time in more ways than one.

His death may well have been witnessed by many of the Scots who were in London to attend the parliament of September 1305 in which the ordinances for the future government of Scotland were set out. Their silence at Wallace's fate does imply condonement, if not complicity. However, we must ask ourselves what they could have done when it was abundantly clear that the judgement was a foregone conclusion. They would have been on dangerous ground to plead clemency by virtue of Wallace's denial of the charge of treason, and no-one disputed the other charges. Nevertheless, the ferocity of this execution should not be forgotten when discussing Edward's statesmanlike behaviour during much of the period between 1304 and 1305.

The final settlement of Scotland was a far more protracted and considered process than it had been in 1296. In the Westminster parliament of February 1305 the bishop of Glasgow, the earl of Carrick and Sir John Moubray were ordered to advise the king as to how this settlement might best be achieved. This is a most remarkable trio: Carrick we might expect to be involved, but the inclusion of Moubray, Sir John Comyn's right-hand man, and Robert Wishart, whom Edward regarded as particularly seditious, attests to the king's desire to accommodate rather than alienate. It is unfortunate that we do not know whether they were the choice of Edward or the Scots. Whichever, they were still accepted. As a result of their advice, ten Scottish representatives, chosen at a Scottish parliament in May 1305, were sent to Westminster in September to help to frame, or at least consent to, the ordinances.[57]

The ordinances promulgated in the September parliament listed not only the offices which were to form the new administration, but also named those who were to hold them. However, since the English administration had been up and running throughout much of Scotland since at least 1304, the changes instituted in September 1305 should be regarded as the end of the process of re-establishment, not the beginning.

In the first instance, the number of Scots holding the office of sheriff both before and after the publication of the ordinances, as shown in Table 8,[58] is striking. In 1304, only four out of a total of seventeen sheriffs were English; equally, out of the thirteen Scottish sheriffs, only three – Sir Richard Siward, Sir Alexander Comyn, and Sir Archibald Livingston – had held office under King Edward after 1296. It is also possible, especially in the north-east, that many of the men installed by Edward as sheriffs in 1303 had held office under the guardians precisely, in both cases, because they were natural leaders in these areas. Even Alexander Pilche, the leader of the burgesses of Inverness, who had caused so much trouble in 1297, was allowed to retain charge of Inverness castle, albeit temporarily. Heritable sheriffdoms, which Edward had previously completely ignored, were also reinstated, as was the attachment of the office of escheatry to the sheriff's functions 'as usual'.[59]

Table 8a: *Sheriffs in 1304*

Those whose names are in italics held the same office both before and after the ordinances.

Aberdeen – Sir Alexander Comyn
Ayr – earl of Carrick
Aucterarder – *Sir Malcolm Innerpeffay*
Banff – Sir Duncan Frendraught
Clackmannan – Sir William Biset
Dumbarton – *Sir John Menteith*
Dumfries – Sir Matthew Redeman[60]
Edinburgh – Sir Ebulo Mountz
Fife – Sir Richard Siward
Forfar – John Pollok/Henry Preston
Inverness (constable of castle) – Alexander Pilche
Lanark – earl of Carrick
Linlithgow – Sir Archibald Livingstone
Mearns (Kincardine) – *Sir Richard Dundemor*
Nairn (constable of castle) – Gervase the clerk
Peebles – *Robert Hastangs*[61]
Perth – Sir Robert Harcars
Roxburgh – Sir Robert Hastangs
Stirling – Sir Archibald Livingston

Table 8b: *Sheriffs of the ordinances*[62]

Aberdeen – Sir Norman Leslie
Ayr – Sir Godfrey Ros
Clamannan & Aucterarder – *Sir Malcolm Innerpeffray*
Cromarty – Sir William Mowat (heritable)
Dumbarton – *Sir John Menteith*
Dumfries – Sir Richard Siward
Edinburgh, Haddington & Linlithgow – Sir Ivo Aldeburgh
Elgin – William Wiseman
Fife – Sir Constantine of Lochore
Forfar – Sir William Airth
Forres & Nairn – Alexander Wiseman
Kincardine (Mearns) – *Sir Richard Dundemor*
Kinross – the heritable sheriff
Lanark – Sir Henry Sinclair
Peebles – *Robert Hastangs*
Perth – Sir John Inchmartin
Selkirk – the heritable sheriff
Stirling – William Bisset

The sheriff of Berwick was to be named by the chamberlain of Scotland, who had the keeping of Berwick castle. The lieutenant of Scotland was to hold the castles of Roxburgh and Jedburgh, and thus could choose a sheriff at Roxburgh.[63]

In 1305 only two Englishmen were named as sheriffs – Sir Ivo Aldeburgh, who was to hold the reunited sheriffdoms of 'the three Lothians', Edinburgh, Haddington and Linlithgow, and Robert Hastangs, who continued as sheriff of Peebles. All these officers could be appointed or removed by the lieutenant or the chamberlain; they were also to be 'sufficient men and most profitable for the king and people, and the maintenance of peace'. It is likely that the Scottish delegates had a big say in these appointments, given that most of the appointees were local to the area in which they served.

In 1296 Edward had actually conformed to Scottish practice with the appointment of justiciars of Lothian, Galloway and north of the Forth. This format was adapted slightly in the ordinances of 1305. Instead of three justiciars, there were now to be four 'pairs', one Englishman and one Scotsman. The extra pair was to have authority 'beyond the mountains'. The justiciars normally went round their area of jurisdiction on ayre hearing criminal cases previously prepared by the coroners. Edward clearly did not feel comfortable about giving sole responsibility for criminal justice to Scotsmen, but he also recognised that he could not do without them completely. All eight appointees – Sir John Lisle and Sir Adam Gordon for Lothian, Sir Walter Burghdon and Sir Roger Kirkpatrick for Galloway, Sir William Inge and Sir Robert Keith for north of the Forth, and Sir John Vaux and Sir Reginald Cheyne for beyond the mountains – were men of considerable, though varying, administrative experience.[64] The coroners themselves were to be appointed by the three main officers of state, if the present holders were found to be unfit, 'unless the latter hold by charter', in which case the king was to be consulted.

Doubtless the appointment which concerned the Scots most was the top job, that of lieutenant. John of Brittany, the king's favoured nephew and currently governor of Aquitaine,[65] was given that honour, with a company of sixty men-at-arms. His salary, which not only maintained him in office, but also paid for his retinue and the garrisons of the castles of Jedburgh and Roxburgh, was to be 2000 marks per annum, to be received from the chamberlain from the issues of the land of Scotland. This was not overly generous, since Surrey had been given the same amount with only fifty in his retinue and without responsibility for Jedburgh and Roxburgh. Indeed, Brittany clearly felt it wasn't enough since it was increased to 3000 marks on 15 October 1305, before he had even arrived in Scotland.[66] Presumably the appointment of a single royal lieutenant brought to an end the role of the earls of Atholl and Ross in the north, as well as Segrave in the south.

The earl was due to take up office on 2 February 1306. In the meantime Sir Brian FitzAlan and the bishop of St. Andrews were to act as guardians of Scotland. In the event, Brittany was unable to leave Gascony until at least 17 April 1306 and Lamberton, Sir John Sandale, the chamberlain, Sir Robert Keith and Sir John Kingston were all ordered on 16 February to act as guardians until his arrival.[67]

Twenty-one Scots – four bishops, four abbots, five earls and eight barons – were to form the lieutenant's council, along with the chancellor and the chamberlain, the justiciars and other royal officials. Again, this included some of the most prominent members of the former patriotic cause, such as the bishops of St. Andrews and Dunkeld, the earls of Buchan, Atholl and Carrick, Sir John Moubray, Sir Alastair of Argyll, Sir Robert Keith and Sir Adam Gordon. This was rehabilitation on a grand scale. The only surprising omission is the bishop of Glasgow, against whom Edward still seems to have held a grudge.

The king, mindful of his promises in the submission agreement but with his own personal agenda in mind, was keen to tackle the thorny subject of Scottish law and custom. There was no compromising on one issue: the ancient '*usage* of Scots and Brets' was banned from henceforth. However, the lieutenant, when he finally arrived, was also to assemble 'the good people of Scotland in a convenient place, and there the laws of King David, and amendments and additions by other kings shall be rehearsed'. Brittany could then, 'with the aid which he shall have there of both English and Scots men . . . amend such of these laws and usages which are plainly against the king'. Those matters requiring Edward's attention were to be sent to him in writing, along with the amendments already agreed, all before 12 May 1306. There was certainly to be a serious overhaul of the Scottish legal system, by means of public consultation even if the king had the final word.

But the parliament of September 1305, which in itself could be regarded as an exemplary piece of statesmanship, must be placed within a wider context. During the eighteen months preceding the promulgation of the ordinance and with the brutal example of Wallace still fresh in their minds, the Scottish élites were well aware that Edward considered that the 'despites, trespasses, outrages and disobediences' which they had perpetrated during the war were so great that they could never make sufficient amends. However, the king was still keen that they should nevertheless endure some form of punishment. He was also gracious enough to intimate that because the Scots had 'borne themselves well and loyally' since his return from Scotland, and in anticipation of their future good behaviour, he would allow the terms of their submission to stand with regard to the saving of life and limb, and the quittance of imprisonment and disinheritance.

The only clearcut exception was King John's own lands, which had again been forfeited and were Edward's to dispose of as he wished. They were to be

treated as separate 'from the demesnes pertaining to the *roiaute* [kingship] of Scotland', which could not be given away. Balliol was effectively being treated like any other landowner (except that he had lost his lands) rather than as a king; equally, and despite the use here of the word *roiaute*, Scotland was now consistently described as a 'land' and not a 'kingdom'. That was one highly significant deterioration since 1296.

In order to satisfy his apparent twin desire to punish and be merciful, Edward devised a scheme in October 1305 under which the Scottish nobility would pay over the annual value of their lands for a varying number of years. This also satisfied his far greater need for money, which the original plan for exile would have done nothing to alleviate. The money thus paid over by Sir John Comyn and the rest was to be used 'for the work of the castles that we are having built in the said land of Scotland for the security of the said land and keeping the peace, or to be put to another use, as we see should be done'.[68] Perhaps Edward did see the irony of having the Scottish nobility pay for new fortifications which could be used against them should they harbour any thoughts of rebellion.

It could be argued that the Scots were buying their lands back, but it is perhaps more helpful to look at this as a system of fines, prompted primarily by Edward's desire, after so many years of major expenditure, to have Scotland pay for the emptying of his coffers. In return the sentences of exile were dropped. Those Scots who had submitted to Edward before Comyn were to pay the value of their rents for two years instead of three, except if they could show that they were completely free of this burden by the king's special command. The Scottish clergy, with the exception of the bishop of Glasgow, were to pay over the value of one year's rents. Wishart, still correctly identified as a – perhaps the – driving force behind the maintenance of Scottish resistance, was to pay three years' rents. Sir Ingram d'Umfraville, who had only recently returned from abroad to submit, was to be punished accordingly for his 'cowardliness' with the payment of the value of five years' rents.[69] Two knights who had returned with him, Sir William Balliol and Sir John Wishart, were each to pay four years' rents.

In order to facilitate the payment of these fines, the lieutenant and chamberlain of Scotland, 'when they have come', were ordered to make an assessment of the relevant lands. Their owners would then hand over half of the annual revenue each year until the total had been paid, thoughtfully giving them something to live on. It was also made quite clear that these conditions were in no way to apply to those Scots who had been imprisoned or who had not yet submitted.[70] Given that many Scottish estates must have been in a state of some disorder after the war, Edward may have been rather optimistic in expecting much of a return in the immediate future. Still, he wasn't to know that another rebellion was just around the corner.

Geoffrey Barrow has asserted that

. . . despite the conversion of old enemies into new advisers, the real power was to be vested in the lieutenant, chancellor and chamberlain. . . . To say therefore that the official element was derived 'mainly from Scotland' is true only in the rather unreal numerical sense. There was no escaping the fact that Scotland was once more what she had been in 1296, a conquered country, occupied by foreign garrisons and governed by the foreign officials of a foreign king.[71]

There is a large degree of truth in this, especially for those living in the south-east, where the sheriffs were all English and where the centre of Edwardian government resided. There is also no getting round the fact that this was indeed a reconquest, despite all the consultation. All the same, there is a danger of overemphasising this point. For most people living far from Berwick, the local officer was still a familiar face, and the rules and regulations which he was there to enforce were also – so far – easily recognisable. The new administration was therefore far less obviously novel and intrusive than it had been in 1296; indeed, all this care was taken precisely to foster consensus and acquiescence at all levels of society. Edward had learned his lesson well.

Of course, many might still have harboured the suspicion that the leopard could not really change his spots. Edward's arrogant assumption that aspects of Scots law would require amendment if it offended 'God and reason' might well have set off just such alarm bells. It was also the case that the two issues which had ostensibly sparked off many of the revolts in 1297 – taxation and overseas military service – were in no sense addressed by any of the king's edicts during the settlement of Scotland. In the short term, these issues were unlikely to trouble relations between Edward and his newest subjects since there was no other war on the horizon. In the long term, however, there was nothing to stop Scotland from being hit by the kind of intensive government which they were quite unaccustomed to, and which contrasted greatly, with a touch of rose-tinted nostalgia, with life under the kings of Scots.[72] As it turned out, there was no time for the relationship between Edward and the Scots to turn sour in this respect; however, that does not mean either that such an antagonism would inevitably have developed, or that the deep-seated animosity which this war had undoubtedly fostered would have fizzled away in a new dawn of fellowship and mutual respect.

NOTES

1 *CDS*, ii, no. 1694.
2 *Ibid*., no. 1646.
3 *Ibid*., nos. 1592, 1682, 1689.
4 *Ibid*., no. 1403; pp. 438–9; no. 1669; Duncan, *Scotland: The Making of the Kingdom*, p. 197; *CCR, 1302–1307*, p. 336.
5 E101/11/19, m. 4; *CDS*, ii, nos. 1657, 1658, 1420: E101/101/15.

6 *CCR, 1302–1307*, p. 25; *CDS*, ii, nos. 1659, 1707.
7 E101/19/11, m. 11 (dorso); *CDS*, ii, no. 1646, p. 443.
8 Bateson, 'The Scottish King's Household', p. 25.
9 *CDS*, ii, no. 1608.
10 *CDS*, ii, no. 1611, p. 442, nos. 1520, 1689, 1654–6, 1658.
11 *CDS*, iv, p. 484.
12 See *Registrum Monasterii de Cambuskenneth 1147–1535* (Grampian Club, 1872), p. 41, for a reference to the lands of Tulybethwyne.
13 *CDS*, ii, no. 1722.
14 *Ibid*., ii, no. 1420.
15 Inquests were held at both Berwick and Roxburgh in 1299, but this was as a prelude to the granting out of 'rebel' lands and so was not part of usual peacetime procedure: *CPR, 1292–1301*, p. 428.
16 *CDS*, ii, p. 198, nos. 1420, 1435, 1436, 1619, 1457.
17 Stevenson, *Documents*, ii, p. 331.
18 *CDS*, ii, p. 203, no. 1452.
19 See, for example, W. Stanford Reid, 'Trade, Traders, and Scottish Independence', in *Speculum*, no.xxix (1954), p. 213.
20 *Ibid*., no. 1592.
21 See *CPR, 1292–1301*, p. 560; *CDS*, ii, nos. 982, 992, for these few examples.
22 See above, p. 65.
23 See, for example, *CDS*, ii, no. 1621.
24 *Ibid*., no. 1613.
25 *CDS*, iv, no. 1804.
26 *CDS*, ii, no. 1423; *Memo. de Parl*., no. 403.
27 *Guisborough*, p. 363; *CDS*, ii, no. 1615; Rev. C. Moor (ed.), *The Knights of Edward I* (Harleian Society, volume 80, 1930) iii, p. 20.
28 *CDS*, ii, no. 1621.
29 *CDS*, v, no. 365. See R. Nicholson, *Edward III and the Scots* (London, 1965), for the role of the Disinherited in the period after the death of Robert Bruce.
30 *Memo. de Parl*., no. 384.
31 *Ibid*., no. 323.
32 *CDS*, ii, no. 1493.
33 *Ibid*., ii, no. 1589; *RRS*, ii, no. 80, pp. 178–9.
34 Prestwich, *Edward I*, pp. 346–7.
35 *CDS*, ii, no. 1604.
36 See Barrow, *Bruce*, p. 131.
37 *Memo. de Parl*., nos. 333, 383.
38 *Ibid*., no. 319.
39 *Ibid*., no. 310.
40 *Ibid*., no. 400. Husbandmen were peasants who had their own holdings but also worked their lord's lands (in this case, the king's).

41 Prestwich, 'Colonial Scotland: The English in Scotland under Edward I', pp. 7–8.
42 *Ibid*., p. 6.
43 *Memo. de Parl*., nos. 294, 349, 337; *CDS*, ii, nos. 1686, 1921.
44 *Memo. de Parl*., nos. 338, 339, 372.
45 Jargun was actually the Dumfries burgess to whom Sir Ingram de Guines had owed money: see above, p. 201.
46 *CDS*, ii, no. 1526.
47 *Ibid*., no. 1724; *Memo. de Parl*., nos. 382, 385, 305; see *RRS*, i, no. 195, pp. 231–2 for Jedburgh's claim to Restenneth.
48 *Memo. de Parl*., nos. 280, 283, 303, 362, 398.
49 See, Prestwich, *Edward I*, Chapter 10.
50 *Langtoft*, ii, p. 353.
51 *CDS*, ii, no. 1424; E101/364/13, m. 9. The date and place of this document is obscured at the end, but enough remains to suggest that it was issued at St. Andrews.
52 *CDS*, iv, no. 477. Professor Barrow has suggested that 'Yrenside' is Earnside: Barrow, *Bruce*, p. 136. However, the presence of the constable of Dundee, together with the fact that a 'Y' is more like to have turned into an 'I', rather than an 'Ea', makes Ironside more likely.
53 Barrow, *Bruce*, pp. 136–7.
54 J.G. Bellamy, *The Law of Treason in England in the later Middle Ages* (Cambridge, 1970), pp. 31–2, 35.
55 *Ibid*., pp. 37–8; Barrow, *Bruce*, p. 137, n.. 39.
56 Bellamy, *The Law of Treason in England in the later Middle Ages*, pp. 38–9.
57 *Memo. de Parl*., nos. 14, 293; *APS*, i, pp. 119–120; Barrow, *Bruce*, p. 134.
58 Most, if not all, of these sheriffs were actually appointed in 1303.
59 *CDS*, ii, no. 1691, p. 457; Bateson, 'The Scottish King's Household', p. 42.
60 *CDS*, ii, nos. 1474, 1514, 1586, 1646.
61 This esquire was presumably a relative of Sir Robert and Sir Richard Hastangs, the stalwart constables of Roxburgh and Jedburgh.
62 All references to the ordinances are *CDS*, ii, no. 1691.
63 Ibid., p. 457; Palgrave, *Documents*, i, p. 292.
64 *CDS*, ii, nos. 678, 715; *Feodera*, i, p. 925; *CDS*, ii, no. 546, p. 443.
65 See Prestwich, *Edward I*, p. 132.
66 Stevenson, *Documents*, ii, p. 225; *Rot. Scot*., i, p. 34.
67 *CPR, 1301–1307*, p. 415. This was, in fact, six days after the murder of Sir John Comyn at Dumfries.
68 These were presumably the castles of Tullibothwell and Polmaise or their alternative sites.
69 The order restoring Sir Ingram's lands in England was issued as late as 8 October 1305: *CCR, 1302–1307*, p. 291.
70 *Rot. Parl*., i, pp. 211–2.

71 Barrow, *Bruce*, p. 135, also quoting from F. M. Powicke, *The Thirteenth Century*, p. 711.
72 See above, p. 1.

CHAPTER EIGHT

LESSONS IN CONQUEST

THE ordinances of 1305 set the seal on this second conquest of Scotland. There was no longer either a king or, this time, a kingdom – merely a land. Admittedly, there was much on which Edward would not compromise – notably the desire to maintain senior authority within the Scottish government in the hands of English officials and his own ultimate right to alter anything deemed derogatory to his own sovereignty. However, the second settlement of Scotland, which took a year and a half to perfect, was a quite different affair from that of 1296, which was over within five months.

There is only one real explanation for this change of attitude: the years of war had taught Edward I that, by contrast with the conquest of Wales, English resources were not sufficient to enforce a successful annexation of Scotland if its people chose to resist. The English king therefore wisely sought to treat both Scotland's distinctive governmental system and its political leaders with a degree of respect which had been markedly lacking in 1296.

The ability of the Scots to elicit even such a tacit acknowledgement of the strength of their resistance, despite its ultimate failure, is extremely important to our understanding of the war itself. Good and bad luck played their part, as ever: the Scots were perhaps fortunate, for example, that the conquest of Wales had already stretched English resources even if it also provided Edward with a valuable learning experience; however, they were very unlucky that the battle of Courtrai happened at the very moment when the return of their king was considered a distinct possibility. But such unforeseen events have a habit of occurring and it is really only their nature that is unexpected.

Equally, England's response to the conflict was fundamental to its pursuit. Edward was actually very fortunate to have a war against an inferior nation (from the English point of view) into which he could divert the considerable and understandable resentment at the constant demands he made of his subjects away from himself (even if that war itself created fresh demands). However, though the English certainly didn't like the thought of being bested by the Scots, their basic lack of interest in the conquest of the northern

kingdom, once it became clear that the war would provide very little opportunity for glory, riches and honour, soon turned into downright antipathy. Even English patriotism had its limits when there was little or no scope for individuals to pick up anything other than the promise of lands and increased debt. Edward certainly seems to have been extremely concerned about the state of his war machine, judging by the increasingly frenzied letters to royal officials in 1303 particularly. The earl of Ulster, for one, would never again believe the promises made to persuade him to serve in Edward's army after the 1303 campaign proved as unforthcoming in pay as that of 1296.

Though it is important to understand how Scotland came to be taken over by Edward I in 1296, this study begins with the fact of conquest. The administration set up in that year was not particularly well thought out, primarily because the king was far more concerned about getting back to his war with France. This, unfortunately, did nothing to give the new administration a good, or even acceptable, start: on the one hand, the enthusiastic and competent officers, such as Cressingham and Ormesby, proved far too adept at extracting an unprecedented level of revenue, to the complete bewilderment of the generally untaxed Scottish population; on the other hand, the lack of interest shown by both Surrey and Percy in the judicial aspect of their offices particularly ensured that the Scots felt unable to seek redress for their grievances through the usual legal channels.

From the Scottish point of view, therefore, the regime was bound to be regarded as oppressive from day one, even if there is no evidence that the kingdom was treated any differently from the rest of Edward's dominions, including England (after the initial pointed snubs to Scottish sovereignty). The depth of feeling is illustrated by the fact that no-one waited for a co-ordinated or official response; local communities throughout the kingdom voted with their feet and sought to expel the offending representatives of Edwardian government, presumably without worrying too much about the consequences. The full extent of such activities is almost certainly lost through the lack of evidence. However, William Wallace's rising in Lanarkshire is surely a good example of local men taking events into their own hands, even if, in this instance, its leader became remarkably and unusually famous.

Indeed, Scotland's very lack of centralisation probably gave the kingdom an advantage in this war of survival, not least because of the ability of the localities to function with some semblance of normality even when the central (Scottish) government was either impotent or seriously handicapped. As with Wales a century later, this meant that it was less easy for the English to bring about a piecemeal reconquest, because revolt could continue to break out anywhere at any time. However, Scotland had an advantage over Wales in that there was less danger 'of rash actions by individual groups'[1] because, outwith certain restricted geographical areas, there was still enough of a governmental superstructure to maintain co-ordination.

The inability of Edward's officials to act effectively against these impromptu revolts in 1297 perhaps panicked the king into the early release of Scots, like MacDougall of Argyll and the Comyns of Badenoch and Buchan, who had experience of dealing with the individual localities involved. Doubtless Edward realised that he was taking a huge risk – these were, after all, key members of the former government; presumably he believed that both the crushing military defeat at Dunbar and the oaths which they had subsequently sworn to him would be sufficient to check any rebellious instincts. However, the actions of the Comyns in particular, which were reckoned by contemporaries to have been duplicitous, underline the importance of Andrew Murray and William Wallace in showing the Scottish élites the 'how', rather than the 'why', of effective rebellion. Confidence is everything when going to war, especially if the opposition is so much more powerful.

During the period between 1296 and September 1297, the English government, both north and south of the border, continued to treat Scotland as finished business, albeit with a few loose ends to tidy up. The battle of Stirling Bridge changed all that – from then on it was real war. The campaign leading up to the battle of Falkirk in the following year was intended to restore Edward's authority in Scotland with an overwhelming show of force. However, despite being one of the most impressive armies in western Europe, this campaign exposed the weaknesses of the English war machine. The battle itself, though certainly an English victory, was perhaps more of a close-run thing than they would have cared to admit. Equally, the defeat did not lead to the collapse of the Scottish government but instead finally convinced the guardians that they should refrain from engaging the enemy directly in battle.

Edward was nothing if not a quick learner. He was perfectly aware of the difficulties exposed in 1298 and made great efforts to remedy them, overhauling the fleet and issuing even more specific guidelines for the most efficient purchase and conveyance of food supplies, for example. However, his understanding of what needed to be done did not quite square with either his subjects' enthusiasm for the war or their ability to pay for it. The spiralling nature of the debt incurred by the crown from the various component parts of the war machine was not immediately obvious, but by 1301 Edward was forced to choose to whom he would postpone payment; this in turn unleashed the law of diminishing returns as the losers had even less reason to trust royal promises in the future.

The problem with the lack of suitable personnel has been mentioned many times already; the south-east suffered particularly from the constant changing of royal officers and the lack of consistent overall command. The significance of Sir John de St. John as warden of the south-west should not be underestimated, not least because his appointment in 1300 brought more consistent and effective pressure to bear on the Scots from then on; Sir John Segrave perhaps also brought a degree of coherence to the English military

presence in the south-east, but only from 1301.

Problems of personnel were compounded by the fact that, even though the seat of English government had been removed from London to York, (York being equidistant from London and Edinburgh) it was still a considerable distance from the administrative and military operations which it was attempting to co-ordinate. This problem was exacerbated by the fact that the officers on the ground were often unable to attend meetings at York because they were constantly needed at their posts. This placed a greater reliance on messengers, which rendered the whole operation correspondingly more vulnerable.

However, while the situation was certainly made more difficult by the lack of enthusiasm for office in Scotland among the English élites, we should not forget the experiences of the footsoldiers who also served in both the armies and the garrisons. It would be overstating the case to suggest that there was a general lack of concern on the part of royal officials whether these footsoldiers stayed or went. Nevertheless, their place at the bottom of the pecking order certainly ensured that they must, at the very least, have felt extremely vulnerable. The general role of infantry was about to undergo a significant transformation, but as yet the archer, particularly, was not given the respect which he would be accorded later in the fourteenth century.[2]

However, this attitude certainly had implications for the success of Edward's military operations: time and again the lack of wages and supplies meant that the footsoldiers, who bore first and hardest the brunt of any shortfall, took the pragmatic decision to return home in large numbers. The army could not continue to function effectively without them and it disintegated. Despite occasional attempts at bribery,[3] the footsoldiers were not fooled and their stake in the whole enterprise can really only be regarded as minimal. Pride will only go so far if it is undermined by personal privation.

All of these significant difficulties, coupled with the fact that the Scots were certainly not militarily capable of actually defeating the English, meant that the conflict quickly degenerated into a war of attrition. If one wanted to place a bet, then England clearly had the ability to sit it out the longest; but perhaps only just. The will to fight among the wider population, and the consequences of continuing to do so, played a vital role in deciding the contest. Enthusiasm in England, which was never very high, had reached an all-time low by 1303; though we will never know how close it came to vanishing altogether, we should not forget that the English had already nearly launched a civil war in this reign. The unpopularity of Edward II within a year of taking the throne, though partly his own fault, is perhaps also an indication of what might have faced his father if the war had gone on much longer.

The contradictory sentiments of patriotism and war-weariness come across clearly in the political songs remaining from the period. In the bluntly titled *Song against the King's Taxes*, it was lamented that:

Now goes in England from year to year
The fifteenth penny, to do thus a common harm.
And it makes them go down, who used to sit upon a bench;
And it obliges the common people to sell both cows vessels and clothes
It does not please thus to pay the fifteenth to the last penny.[4]

While this song indicates the difficulties caused further down the social ladder, there is little reason to presume that the élites were much more enamoured with the war, since it had so little to offer them in terms of their traditional rewards: even Edward himself admitted that the siege of Stirling would provide an unusual opportunity for new knights to 'gain their shoes or their boots'.[5] If the enemy refused to engage, then campaigning was little more than a lengthy horse-ride, redeemed only by the odd skirmish; even the sieges tended to be a triumph for the engineers. Heroic, chivalric, glorious – this war was none of these things. Nevertheless, we cannot ignore the fact that Edward's own military reputation, which was certainly boosted by comparison with his unenthusiastic son, remained intact after his death:

Of England he was lord
and a king who knew much of war;
In no book can we read
Of a king who sustained better his land.
All the things which he would do,
wisely he brought them to an end.
Now his body lies in the earth;
and the world is going to ruin.[6]

The fact that a nation could criticise its king for the burdens which his ambition placed upon it one day, and then eulogise him for having done so the next is an entirely human reaction to the end of an era. Edward's final, devastating failure to bring Scotland to heel was glossed over by the belief, which he would certainly have shared with his subjects, that he would ultimately have succeeded if death had not intervened; Edward II, on the other hand, showed neither the inclination nor the ability to allow the English any pride in their dealings with Scotland during his reign.

However, while Edward I still lived, there were two sides to this coin. While the Scottish élites remained fairly solidly behind the war effort, there were many others who, for all number of reasons, could not sustain their active support, particularly if they were in close proximity to an English garrison. Scotland's geography played a fundamental role in giving King John's government a heartland from which it could operate in relative safety; however, retreating into the 'normality' of north-eastern Scotland was not an option for the lesser folk of the south. Again, a comparison with rebellion in Wales is instructive: according to Professor Davies, 'It was exhaustion and military frustration which eventually defeated Glyn D[ŵ]r'.[7] This was just as

true for the Scots a century earlier, even if it was not the whole story.

By 1300 King Edward attempted to compensate for his inability to keep his army together over the winter by granting the Scots truces. However, these were most certainly a means to an end and even the truce of Asnières, which allowed for the French to play a direct role in Scotland, was surely regarded as a disagreeable option to stave off a worse alternative. While the truces are still evidence of English weakness, they did not necessarily have a negative effect on Edward's war effort since new garrisons were thus given some time to establish themselves, even if there was also a danger of deterioration due to logistical problems.

Equally, the references to administration of a more 'normal' kind within the English zone from 1300 onwards is one of the best indicators of increasing success. The taking of castles is one thing, but they served little purpose (especially because of the financial implications) if their recapture was not translated into increasing acceptance, and therefore authority, within their own hinterland. The deliberate targeting of the 'middling sort' was part and parcel of this development and was one whose success the Scottish government could only prevent by direct intimidation. This was certainly employed, but as English administrative achievement became both more widespread and more stable, it proved impossible to dam the tide of acceptance of Edward's regime: subjection is a two-way relationship.

This is not meant to imply that Scottish resistance was either uncommitted or ineffective; it does no discredit to the losing side to indicate the huge odds it was up against, nor that factors such as the risk of severe economic disruption were sufficient, at both an individual and a group level, to prompt acquiescence in a situation that most would have preferred to prevent. From 1301 in particular, increasing English garrison activity outwith the campaigning season made it very difficult for the Scots to compensate for the gains made during the campaigning season by English armies. The lack of siege engines was also working against them since they no longer had sufficient time to coax an English garrison into submission.

However, any discussion of positive and negative factors working for each side in any conflict, though necessary, is unlikely to illuminate what this war must have looked like to contemporaries. In the first place, each point of view would depend on a variety of factors other than being Scottish or English. While hindsight can allow us to glimpse certain trends which explain success or failure, such insights were generally not available to those involved at the time. Unfortunately, the writing of history demands both a coherent structure and the drawing of conclusions; this makes it virtually impossible to indicate that at any given point there were a number of outcomes which in turn had very different consequences. This problem has already been highlighted most eloquently:

Hindsight is the besetting sin of the historian. Nowhere is it, perhaps, more

pernicious in its impact than when discussing a war or a revolt. Chaos is turned into order at the stroke of the historian's pen; isolated and unrelated episodes are arranged into neat causal patterns; lines of development and crucial turning-points are perceived with a clarity and confidence denied to contemporaries.[8]

While history will continue, for the moment anyway, to be written in terms of a progression from A to B, historians must, at the very least, be able to admit the problems posed by the presumption that they should not merely take the past apart and leave it like that.[9]

It is certainly not impossible to understand why the Scots surrendered to Edward I, with the important caveat that their eventual capitulation was by no means inevitable and, for most of the period, remained highly unlikely. Even in 1303, especially after the surprise 'victory' at Roslin, the permanent English forces in Scotland could appear demoralised and ineffectual. And this is the crux of the matter, the double-edged sword under which both sides operated.

For the English, their very success in extending control over more and more of Scotland also rendered them vulnerable as resources were correspondingly stretched. The total number of permanent troops stationed in Scotland did not increase dramatically as more garrisons were installed. While this may certainly be an indication of increasing confidence, it did mean that Selkirk castle, for example, could be captured by the Scots as late as 1303. For the Scots, English vulnerability was exploited to great effect even up until September 1303, when they considered submitting but changed their minds when they saw the state of the Irish footsoldiers. However, as English garrisons, and with them, English justice, became an increasingly permanent fixture throughout more of the country, it became harder to convince the war-weary population at large to give up the chance to live their lives (more) normally.

However, looking at the situation from this perspective alone, an English victory was still the most likely outcome, simply because Edward would never have given up except in extraordinary circumstances and he still, despite the difficulties, had access to far greater resources than the Scottish government. Unfortunately history tends not to work as predictably as that. There were many factors, some foreseeable and others quite unexpected, which could push the advantage to one side or the other. Courtrai was one such unlikely event which had serious repercussions for the Scots. If it had not happened, Comyn and his advisers could certainly have decided to sit the contest out, since Edward was an old man and his son was by no means his equal. There is no point in engaging in 'what ifs', but it is certainly worthwhile looking at the alternatives when assessing why people did what they did.

Hindsight is indeed a besetting sin, but it is impossible to avoid it. This is particularly true with regard to this second conquest of Scotland since *we* know that Robert Bruce was going to kill John Comyn, seize the throne and start the whole ball rolling again less than six months after the publication of the ordinance. But, of course, contemporaries did not, even if a number of them had an idea that Bruce would aim for the throne eventually.[10] It is important, therefore, to regard this settlement as genuine; certainly the English, and probably most Scots, expected it to last. At the very least Scotland needed a period of recuperation, as indeed did England.

However, even before the settlement of Scotland had been agreed, there were indications that all was not well. In July 1305, John, earl of Atholl, still warden north of the Forth, petitioned the king for a more effective source of his fee of 1200 marks since he had only received £540 so far and most of that had been spent on repairing castles and retaining soldiers. A further £800 was allowed to him for his expenses since 29 March 1304, presumably the date on which he took up office.

Sir Alexander Abernethy experienced similar problems, resulting in his own request to the king in August 1305 for payment for himself, his retinue of sixty men-at-arms and various officials under his jurisdiction. William, earl of Ross, as Edward's warden beyond the Spey, had also 'not yet had any allowance for himself or his servants'.[11] Edward would have to do rather better than this if he was to be regarded as a credible source of patronage by the Scottish nobility, one of his many roles as king. There was still clearly difficulty in getting some parts of Scotland to pay dues, perhaps because there was now a climate of tax avoidance; the re-establishment of a national administration which could pay for itself was taking rather longer than any of Edward's officials might have wished. Equally, as a number of references throughout 1304 and 1305 make clear,[12] the submission of Scotland's government certainly did not mean that all Scots were prepared to give up the fight.

Over time, the new regime would surely have dealt with these problems, so long as it continued in the vein in which it had begun and did not give the Scots cause for unredressed resentment in the near future through heavy-handedness. But time was no longer on England's – or, more importantly, Edward's – side, though the future was still as unpredictable as the outcome of the war had once been. However, having proved that they could indeed exercise power successfully in defiance of the English king, the Scots now only required a *legitimate* leader to act as a catalyst for revolt. Unfortunately, legitimacy lay in the hands of only one man: John Balliol. The main obstacle to the success of Robert Bruce would not be the English but the Comyn family and their allies, who, after all, dominated that very part of Scotland which had so effectively resisted Edward I. Given the extent to which Carrick had been cold-shouldered by the Scottish political community after 1300, his eventual success as king was one of the more unlikely directions which

history could have taken.

The first phase of the attempted conquest of Scotland by England cannot be regarded as a blueprint for either success or failure in military affairs: the role of the unexpected, combined with the more predictable, makes every war unique. Nevetherless, one small, northern European kingdom's struggle against an overmighty neighbour and, equally, a dynamic and ambitious kingdom's attempt to extend its boundaries, as most contemporary states (including Scotland) sought to do, is as worthy of study as any other martial exploit. To that extent, the history of warfare is both individual and universal.

It also cannot be separated from the environment which created it. The histories of Scotland and England are, of course, conditioned to a greater and lesser extent by the events precipitated by Alexander III's dramatic early death, just as the relationship between these two nations bears their scars even today. Cicero certainly had a point when he said that 'Freedom suppressed and again regained bites with keener fangs than freedom never endangered' – the conflict with England will no doubt long remain ingrained within the Scottish psyche.

However, the significance of this war does not lie in who did what to whom and how terrible it was; the regularity with which neighbour has fought with neighbour throughout history makes that form of analysis mundane. Rather, it informs our understanding of warfare in general, together with the state-building processes of which it is a symptom, just as much as the higher profile conflicts between the 'great nations' of England and France. An embarrassment of evidence, which has given the history of these 'great nations' undue prominence, is not an indication of superiority *per se*, but neither is its scarcity – something medieval Scottish history will always have to contend with – an excuse for filling the gaps with wishful thinking. War is, and presumably always will be, expensive, tedious, horrifying, but, above all, complex.

NOTES

1 See Davies, *Owain Glyn D[i_ŵ]r*, p. 233.
2 See, for example, Contamine, *War in the Middle Ages*, pp. 132–7, 151–65.
3 See above, p. 90.
4 Wright, *Political Songs*, p. 183.
5 Haskell, *The Scottish Campaign of Edward I, 1303–4*, p. 38.
6 Wright, *Political Songs*, p. 242.
7 Davies, *Owain Glyn D[i_ŵ]r*, p. 237.
8 *Ibid*., p. 263.
9 The authors of *1066 and all that* were perhaps perfectly aware that many a true word is spoken in jest.
10 Carrick had made a secret pact of mutual support with William Lamberton, bishop of St. Andrews (and probably a number of other Scottish notables, perhaps including Comyn himself) as they helped Edward to reduce Stirling

castle in 1304: see Barrow, *Bruce*, p. 139.

11 *CDS*, ii, nos. 1696, 1631, 1395.

12 See above, p. 198.

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